

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Kimle, et al.  
SERIAL NO : 09/335,648  
FILED : June 18, 1999  
TITLE : METHOD OF ELECTRONICALLY INITIATING AND MANAGING  
AGRICULTURAL PRODUCTION CONTRACTS  
Grp./A.U. : 2164  
Examiner : Kyle, C.  
Conf. No. : 6709  
Docket No. : P03566US0

**FIFTH SUPPLEMENTAL DECLARATION OF PRIOR INVENTION IN THE UNITED  
STATES OR IN A NAFTA OR WTO MEMBER COUNTRY TO OVERCOME CITED  
PATENT OR PUBLICATION  
(37 CFR 1.131)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF SCOTT CAVEY, KEVIN L. KIMLE, DAVID R. KROG, AND  
REYNOLD HARDER**

1. We, the undersigneds, are either original named inventors in the above-identified patent application or the President and Chief Operating Officer of E-Markets, the Assignee of the above-identified application.
2. We have submitted in this application prior Declarations, which are incorporated by, reference herein.
3. This declaration is filed to respond to the Office Action of November 19, 2002 and to corroborate at least some earlier evidence and submissions in this application.
4. In preparation for this declaration, Scott Cavey spent on the order of 70 days reviewing company records, interviewing employees and some of the named inventors, and reconstructing again the activities that occurred with respect to the subject matter of the above-identified patent application between roughly the summer of 1996 to the summer of 1997.
5. Scott Cavey also reviewed the November 19, 2002 Office Action, and the questions and issues raised by the Patent Examiner in it, and tried to track down information to further respond.

6. As a result, I took another roughly 14 days to compile and organize the information and present the following in support of the application. This information was compiled with the help of Kevin Kimle, David R. Krog, and Reynold Harder.
7. This testimonial is given to account for and testify to the activities that surrounded the generation of the concept to the launching of the final product we refer to as Net Contract. To address the specific issue that it was a continuous, concerted effort displayed to the reducing the concept to practice from prior to 9/4/96 to launch in mid-summer 1997, you will see not only a continuous and concerted effort but you will see a committed effort.
8. Three of the patent applicants quit their jobs in mid 1996 and reduced their income to two consulting jobs and the creation of the Net Contract application. They formed the company, opened an office, recruited financing, designed the product, tested the concepts, developed a business plan, developed a prototype, developed the product from mid 1996 through mid-summer 1997.
9. In that time the founders of the company were working for wages less than 1/3 of their previous earnings at the jobs they left to pursue the development of this application. That is a level of commitment that cannot be questioned. To elaborate in detail, this is the story of the development of the Net Contract application.
10. The Patent applicants include Kevin Kimle, David (Dave) Krog, Reynold (Rusty) Harder, Alan Schmitz and John Stucki. Kevin, Rusty and Dave are the original founders of the company E-Markets and the Net Contract Idea. John Stucki was a contractor who helped build the Application after most design and market concept testing was completed and Alan Schmitz joined the company at the tail end in July 1997 in time to launch the application and bring the application out of a local server into an internet connected environment and protected under a proprietary security platform.
11. As is well known in any kind of software development, a true application that is taken to market consists of 80% of the time spent in design and market concept testing and the last 20% is actual coding. This story follows a similar timeline and process.

#### **PRIOR TO SEPTEMBER 4, 1996**

12. Prior to September 4, 1996, Rusty, Kevin, Dave and Mark [REDACTED] (an Iowa State University professor and computer programmer) met in the first formal documented meeting to discuss a concept they had been talking about informally since earlier when Kevin and Dave had attended a meeting at the University of Iowa on the topic of Iowa Electronic Markets. They talked about initial concepts of Electronic Trading. The meeting included discussions of the separation of responsibilities between the members; Rusty would look at the animal markets and modeled the supply chain of the integrated markets. Mark would look into what would it take in people, software, etc., and whether they could simultaneously do World Wide Web, software and link to FarmDayta. Dave Krog would investigate the Grain sector and explored both the concept of electronic

trading and electronic contract management. Kevin would look into financing, business design, electronic commerce options and partners and strategic options.

13. At this time all the members of the group were gainfully employed. They met in the mornings evenings and weekends to proceed toward the vision of a web based business to provided agriculture community, grain trading and contract management. Rusty and Kevin worked together on a Presidential campaign in IA and Dave and Kevin worked together at [REDACTED], so there were many opportunities to get together informally.
14. Kevin Kimle and Mark [REDACTED] followed up discussions on the technology needs and agreed to meet on with Dave and Rusty. The purpose of the meeting was to get Mark more comfortable in the concepts and to gain full commitment to joining the group in an eventual business. For three weeks each of the individuals was working on their area of responsibility outlined above.
15. Thereafter, Kevin and Steve Ringlee met to discuss the business concept and the options for financing the business. Steve was relatively new to IA from Boston but had a background in venture start-ups and financing. Steve would later join the team as one of the founders of the company.
16. Kevin met with Alan [REDACTED] of [REDACTED] to discuss the direction of Agriculture and the issues facing risk management in agriculture. Kevin and Mark [REDACTED] followed upon technology issues.
17. Kevin met with New Coop in Ft Dodge to discuss how they use market information and how they would use electronic commerce.
18. Rusty, Dave, Kevin and Mark met for a business meeting and discussed the findings so far, including Market research and financing discussions. The priorities moving forward were development of the prototype and defining the service offerings. In the meeting Mark [REDACTED] decided he was not willing to commit to a new venture and recommended the team talk to Gary [REDACTED] as a potential technical lead.
19. Kevin met with Mike Turner at the University of Nebraska Lincoln to discuss the product concepts and the business opportunities. Mike helped line out the best companies and locations to discuss the concept with and to potentially involve in the development. The concepts discussed were specialty corn market contract manager, grain trading between elevator and farmer and management of quality and transaction requirements for the end user processors. The products, in Mike's opinion, with the most potential are the specialty corn contract management or the elevator electronic transaction system.
20. Kevin Kimle attended a conference in NYC where he learned about the Microsoft development model and the product scheduling to meet customer expectations.
21. Meeting with a technology company in Ames called the Spanning Tree. The leaders name is Greg [REDACTED]. Discussion included options for delivery of the product, using

VPN or WWW. They also discussed the potential needs for people and cost for a prototype. 4-6 people months and about \$200,000. That sounded real high. Kevin Rusty and Dave met later in the day to discuss the concepts from Spanning Tree.

22. April 1996 was a busy month at the regular jobs of the founding team members. Rusty and Dave were researching the animal and grain supply chain economics and Kevin worked on finding technology partners. April 12<sup>th</sup> Kevin met followed up with Greg [REDACTED] at Spanning Tree on his concepts. April 15<sup>th</sup> Kevin met with developer Gary [REDACTED] to determine his interest in being the developer based on the recommendation from Mark [REDACTED]. April 16<sup>th</sup> Kevin met with Aurora Coop to discuss the needs for the specialty corn market and potential use of electronic applications. Kevin also met with C.P.I. in Hastings NE. April 17<sup>th</sup> met with Farmland and Peavey in Kearney NE on the same subjects. April 18<sup>th</sup> Dave and Kevin met with Ed [REDACTED] of [REDACTED] an Accounting Software developer in Ames to determine if [REDACTED] is capable of doing the technical development. They did not have the right capabilities for the work. April 25<sup>th</sup> Dave and Kevin met to discuss the potential of bringing Gary [REDACTED] on board to do the technical development. April 30<sup>th</sup> Met with Gary [REDACTED] to discuss technical issues further and an initial evaluation period for Gary until July 1.
23. May 5, 1996 Kevin and Dave met to major areas of the business work plan, content, Transactions and Communication. May 8<sup>th</sup> meeting with Spanning Tree. Addressed technical options, Intellectual Property issues, scalability, and competitive pressures. Kevin also discussed the product presentation for courting investors and to discuss if financing will. May 9<sup>th</sup> Kevin presented the four areas of product development 1) Business to Business Transactions, 2) Contract grower management system, 3) Specialties tenders and 4) International tenders. May 13<sup>th</sup> discussed vision and work plan with Context Consulting and they want to investigate the electronic tenders and Business-to-Business communications. This discussion eventually led to the first consulting project for the new E-Markets company and the evaluation of the B2B transaction application.
24. May 15<sup>th</sup> Kevin met with three business leaders in Ames and discussed the formation of a new business and he met with Context Consulting and Dave to map out a plan to go forward on the B2B work plan.
25. May 20<sup>th</sup> Kevin met with Steve Ringlee to detail the business startup issues and financing expertise Steve would bring to the group.
26. May 22<sup>nd</sup> Kevin researched ECR. This is the first documentation of the concept of E-Markets systems being a longer-term replacement of EDI. Kevin also revised the work Plan and documented the process for the evolution of the product from the concept. The plan is 1) phone surveys of multiple industry participants to discuss product concept and industry needs, 2) individual meetings in different states to dig into the needs and discuss the product concept in more detail, 3) reestablish the product idea design resulting in a prototype, 4) Develop a product prototype from scope drawings to technical creation, 5) Presentation creation including the prototype and 6) discussions with Key advisors, Lon [REDACTED], Bob [REDACTED] and Tom [REDACTED].

27. May 24<sup>th</sup> Kevin documented Net Contract database issues. Key issues will be using the company as the key relational link and also set up each sector as a separate database.
28. May 28<sup>th</sup>: Kevin also documented the Database structure connections. Database key structures are using the company ID as the relational link between contract info and customer survey info. Over the weekend the team has come to terms with how to wrap all the product ideas together. "Take contracting situations and form an information system to link to electronic transactions" the key markets for the contract management system should be High Oil Corn, Waxy Corn, White Corn and High Quality Yellow corn.
29. May 29<sup>th</sup> Kevin met with Brian Buhr about the livestock industry and the use of E-Markets planned application. Brian later joined E-Markets in 1999. He also talked to Lon [REDACTED] about how fast E-Markets could be ready to go to market.
30. May 30<sup>th</sup> Kevin and Dave met to discuss the Work Plan and to split up the business plan. Kevin also talked to Lon [REDACTED] in a follow-up discussion about companies looking to enter the Internet space, including Meredith Publishing and IA Institute of Cooperatives.
31. June 1, 1996 Kevin documents his opinions on how to approach electronic transactions in preparation for his meeting the next day. Electronic bid ask systems are one type of simple price discovery transactions. Contracting is a more complex transaction since it includes Structure, Specification, Price and Enforcement.
32. June 2<sup>nd</sup> Dave and Kevin meet to discuss the research Dave has done on the White Corn market.
33. June 3<sup>rd</sup> Rusty and Kevin discuss a man named Charlie Trauger who is interested in the products E-Markets is developing. Charlie has connections at [REDACTED] for possible technical resources. Charlie eventually joined the team and also was one of the company founders.
34. June 6<sup>th</sup> Rusty, Dave and Kevin get together to work on the presentation of the Net Contract system for white corn to present to Frito Lay, Bartlett and Quaker. June 7<sup>th</sup> Kevin worked on the new Presentation.
35. June 12<sup>th</sup> Met with the Dept of Ag. concerning the revamped product. Kevin documents the business process and how E-Markets fits in and the first documentation of the anticipated revenue model.
36. June 18<sup>th</sup> Dave and Kevin complete a Supply chain for White corn.
37. June 19<sup>th</sup> Kevin meets with Bartlett Grain on their White Corn process.
38. June 20<sup>th</sup> Kevin met with Brian Buhr who has a technical lead prospect. Kevin, Rusty, and Dave also met with Charlie Trauger to discuss the vision for the new company.
39. June 22<sup>nd</sup> Dave and Kevin meet to discuss a research recap on the value proposition for a White Corn buyer like Frito Lay. The issue of information ownership and data security is

documented as a serious question that needs to be decided. Kevin worked on the Frito Lay presentation. Setting up Frito Lay presentation and finishing up the prototype worksheet.

40. June 30<sup>th</sup> Security issue is addressed with documentation of multiple levels of security.
41. July 1, 1996: Dave and Kevin discuss what is needed in the Frito prototype design.
42. July 2<sup>nd</sup> Kevin documents the design of the Frito prototype.
43. July 3<sup>rd</sup> Kevin met with a farmer for Frito Lay and the purchaser of Frito Lay to discuss how their contracting system works.
44. July 5<sup>th</sup> Dave and Kevin meet to discuss the Frito Lay information and set up a follow-up on 7/10.
45. July 6<sup>th</sup> Dave and Kevin meet with Spanning Tree to discuss potential as a technical provider. Spanning Tree needs a detailed scope to tell how and if it can help.
46. July 7<sup>th</sup>-10<sup>th</sup> Kevin worked on the business plan and developed the investment materials. Documented business plan design on July 8<sup>th</sup>.
47. July 11<sup>th</sup> and 12<sup>th</sup> Kevin met with Frito Lay to follow up on the last meeting and set a second meeting for 7/30. Frito needs a system to show price changes in real time for contracts.
48. July 13<sup>th</sup> Rusty and Kevin met with Charlie Trauger. July 14<sup>th</sup> Wrote draft of the business plan.
49. July 16<sup>th</sup> Kevin leaves his full time job at [REDACTED] to focus full time on E-Markets.
50. July 18<sup>th</sup> The team met to line out the next two months goals. First documented discussion about a system independent portal where the software is a value added portal and the personal portal works through a LAN connected to the Internet where the modem connection diverts the user to our network and enables the browser application to be accessed. Today this is called Webservices.
51. July 19<sup>th</sup> Kevin worked on Business plan.
52. July 22<sup>nd</sup> Kevin met with Mark ~~2222~~, a potential technical developer. Rusty, Dave and Kevin met to discuss Technical developer.
53. July 23<sup>rd</sup> Kevin worked on small business financing with Marv Walters.
54. July 24<sup>th</sup> Met with Context Consulting on a project for Kodak. July 25 worked on Kodak project and researched the cotton market with the USDA to evaluate its applicability to the Net Contract application.

55. July 26<sup>th</sup> Talked with former Microsoft employee about technical development. He did not fit the needs. Continued research on cotton
56. July 27<sup>th</sup> - 28<sup>th</sup> In Omaha with Charlie Trauger, Dave, Kevin and Rusty included discussion on technical options. Charlie is working on alternatives but at the moment did not believe he would need a server yet.
57. July 29<sup>th</sup> Kevin met with Steve Ringlee and lined out the modules for the new website. The modules will include E-Tools, E-Contract, E-Connect, E-Info and E-Transact.
58. July 30<sup>th</sup> Kevin traveled to IL and met with Frito and discussed the next steps in their contracting deal.
59. August 1, 1996 Kevin set up new Internet service and hired an attorney to handle the business setup and legal issues. He also completed the Business Plan.
60. August 2<sup>nd</sup> Worked on Kodak project for Context Consulting.
61. August 3<sup>rd</sup> Kevin developed the value proposition for Frito and completed an e-Markets presentation to explain what E-Markets applications would offer a company like Frito.
62. August 4<sup>th</sup> Meeting with Dave, Kevin and Charlie in Omaha.
63. August 6<sup>th</sup> Set up direct cable Internet connections and worked on consulting project.
64. August 7-9<sup>th</sup> Worked on consulting project.
65. August 9<sup>th</sup> Made contact with Ed McMillan, former Purina Mills CEO to discuss being on a board of Advisors. Meeting set for 8/21.
66. August 12<sup>th</sup>. Kevin met with Steve Ringlee about the financing discussions.
67. August 15<sup>th</sup> Company incorporation papers are drawn up.
68. August 16<sup>th</sup> Kevin drew up Product/Service grid connecting application functionality to service access levels and met with Marvin Hayenga a future investor in E-markets.
69. August 17<sup>th</sup> Team meeting discussed new security platform company called Prism that Charlie found.
70. August 19<sup>th</sup> Kevin met with Scoular grain on specialty corn contracting.
71. August 20<sup>th</sup>. Kevin met with Bartlett grain on White Corn contracting.
72. August 21<sup>st</sup> Kevin met with Ed McMillan to confirm him being on the Board of Advisors.

73. August 22<sup>nd</sup> Followed up with Mark [REDACTED] who had talked with Geoff Anderson of Agris about systems for Agriculture.
74. August 24<sup>th</sup> Registered the domain name for e-markets.com.
75. August 26<sup>th</sup> Kevin detailed Strategic observations in notes and again shows different concepts for Contract management and Bid Posting and transaction processing.
76. August 27<sup>th</sup> Meetings with Kevin, Rusty, Dave, Steve Ringlee, and [REDACTED]. Tom suggests talking with Murphy Farms.
77. August 28- 29<sup>th</sup> Working on consulting project for Context Consulting to bring in some money.

#### SEPTEMBER 4, 1996 AND AFTER

78. September 4, 1996 Dave and Kevin review the consulting projects and they make an offer to Brian Buhr to join the team and focus on the swine business. He declines but would eventually join the company in 1999. Kevin is working on finding appropriate office space instead of working out of the basement of his house.
79. September 6<sup>th</sup> Dave quit his full time job at [REDACTED] to focus solely on E-Markets. The team met at 4:30 and discussed progress on the goals, prototype development issues, and the Business Plan and Admin issues.
80. September 7<sup>th</sup> worked on Consulting project for Kodak.
81. September 9<sup>th</sup> Kevin and Dave worked on the Kodak consulting project.
82. September 10<sup>th</sup> Kevin met with Tom [REDACTED] an E-Markets Advisor to discuss progress and talk about leads.
83. September 11<sup>th</sup> worked on Kodak consulting project.
84. September 12<sup>th</sup> research with NGFA on the previous EDI project referred us to Cargill, Continental and [REDACTED]
85. September 13<sup>th</sup> Meeting with Kevin and Steve Ringlee updated that Spanning Tree is out of business and Greg [REDACTED] has moved to Ottawa. Since July when Greg asked for a detailed document he has been focused on saving his business and has not come up with any solutions for building the Net Contract prototype. Researched transaction costs with University of Minnesota. Also Kevin worked on the priorities of who to focus attention on to get financing, technical development and a customer for the application. Dave met with Tom [REDACTED] to discuss his input on the new business. Tom was formerly the head of [REDACTED], which was bought by [REDACTED] and now runs [REDACTED].



86. September 15<sup>th</sup> Kevin worked on the value spectrum in grain transactions.
87. September 16<sup>th</sup> Kevin met with Greg [REDACTED] to finalize the technical discussions they had before he closed his business and moved. He referred us to Bob [REDACTED]. Kevin talked to Frito Lay and they are going to put the Net Contract discussions on hold until after Harvest, Oct 2 tentative meeting.
88. September 17<sup>th</sup> worked on Consulting project for Context Consulting and set up a meeting with a former grain trader in Minneapolis.
89. September 18<sup>th</sup> Dave and Kevin attended and E-Commerce conference in Minneapolis. Kevin and Steve discussed incorporation issues Trilogy as a Tech Service provider and the business plan update.
90. September 19<sup>th</sup> attending E-Commerce conference.
91. September 20<sup>th</sup> Kevin met with Marv Hayenga a future investor and an ISU professor. He referred us to Continental AgriTech as a possible Technical provider. He also met with Agris Corporation a software developer for Ag Retailers and with Trilogy about their development process. Kevin documented our process and the process of our customers to help Trilogy understand our development cycle.
92. September 23<sup>rd</sup> Group Meeting Charlie is responsible for finding the technical development partners. Steve is responsible for the system to track developments. Kevin also met with John Green of the National Corn Growers Association to research emerging corn markets from a farmer's standpoint and how the farmers will engage in the new markets and can electronic commerce help.
93. September 24<sup>th</sup> Kevin researched Canola market and Sunflower market for Net Contract systems.
94. September 25<sup>th</sup> Kevin and Dave met with Zeneca, a large life science company, with a part ownership in ExSeed, a corn genetics company, about the need to understand the value in the corn value chain, and how can they capture the value to an integrated company.
95. September 26<sup>th</sup> worked more on the sunflower industry, contacts with the USDA and Nat'l Sunflower Assoc. Also captured names and numbers of the key Sunflower industry seed suppliers.
96. September 27 - 29<sup>th</sup> worked on consulting project for Context Consulting.
97. September 30<sup>th</sup> Kevin met with Rusty and Steve Ringlee to discuss trademark findings and investor follow-up. Rusty introduced Wendy Gramm to the company's concept and she would like more information. Kevin confirmed the meeting with Frito Lay on 10/2.

98. October 1, 1996 Rusty quit his fulltime job at [REDACTED] and went part time to be able to dedicate ½ days to E- Markets Inc. Kevin and Dave visited University of Nebraska staff to present Net Contract and transaction application concepts. Met with Jim Kendrick. Afterward they met with Charlie Trauger and Prism Company to discuss how Prism could be the technical provider.
99. October 2<sup>nd</sup> Dave and Kevin met with Frito-Lay. They are interested in electronic commerce but want to do the contracting internally. This is the beginning of the end of our conversations with Frito Lay since we want to push forward with Net Contract before electronic Trading.
100. October 3<sup>rd</sup> Travel back to Ames and reprioritize the direction after the Frito Lay meeting.
101. October 4<sup>th</sup> Update from Trilogy Software on their discussions on building the Net Contract prototype.
102. October 7<sup>th</sup> Dave and Kevin made a trip to Minneapolis to discuss Net Contract concept with Ed Usset formerly of Pillsbury and Central Livestock Co.
103. October 8th Incorporation paperwork is in process. Discussion with Cargill in Blair NE on Specialty corn for processing and how the contracting procedures would fit our concept.
104. October 9<sup>th</sup> met with Northrop King a seed company about electronic selling. Researched the Lotus Collaboration system. October 10<sup>th</sup> discussion between Kevin and Sparks Commodities about how they have advanced on their website for Livestock and how they dealt with the security issues. Dave talked with Dow Elanco about their nutrient dense corn and High Oil corn. They are interested in talking to understand the market and application better. Dow eventually became a customer and this was a key first meeting. Dave also met with Tim [REDACTED] a consultant to Ag Companies about the company's product ideas.
105. October 11<sup>th</sup> Charlie Trauger had been working on the technology providers and he and Kevin discussed the progress.
106. October 14<sup>th</sup> Kevin revised the PowerPoint prototype presentation and included the personalized page and content pages along with the product applications. That drawing needs to be put into a full flow chart diagram and scoped for a developer.
107. October 15<sup>th</sup> Kevin worked on the product diagram including the Interactive Business Center, Net Connect, Net Contract, Net Market and Net Sale.
108. October 16<sup>th</sup> Dave and Kevin worked on the list of issues such as the process cannot start with the Farmer issuing a bid. It won't work. What can E-Markets do in terms of focus - need to get financing to fund development also need to line up the technical partners

soon. Kevin would focus on the Interactive Business Center and Dave would focus on Net Contract and put together the proposal for [REDACTED] on data gathering and contracting.

109. October 17<sup>th</sup> and 18<sup>th</sup> Dave worked on the proposal for [REDACTED] and Kevin worked on consulting projects for Context Consulting.
110. October 19<sup>th</sup> Business meeting with the Dave, Rusty, Charlie, Kevin and Steve. Discussed the progress on Mycogen, [REDACTED] Frito, Sparks, St Paul Conference, Monsanto and Omaha meeting, as well as company formation and trademark issues.
111. October 21 Meeting with Zeneca to discuss the presentation and the topics to detail are Revenue/Margin and Sales vs. Cost.
112. October 22<sup>nd</sup> Kevin and Rusty traveled to Omaha for a presentation by Mike Harper CEO of ConAgra Foods. Also met with Charlie to discuss progress on the technical issues: Need Html prototype, a new server and a Technical Partner.
113. October 23<sup>rd</sup> E-Markets, Inc. received its authorization as a corporation and the Articles of Incorporation were posted after two months of paperwork and process.
114. The [REDACTED] proposal was completed and presented to [REDACTED] for review on October 24<sup>th</sup> and a logo for Market Works was developed. On the 24<sup>th</sup> Dave and Kevin met with Zeneca about the specialty crops tomatoes and Potatoes. There may be an opportunity for data capture but the technical traits are not prevalent in these crops yet so contracting is done differently. System would need to include profile information and delivery data for value capture.
115. October 27<sup>th</sup> worked on consulting project for Context Consulting.
116. October 28<sup>th</sup> Dave and Kevin worked on Consulting project for Context Consulting.
117. October 29<sup>th</sup> meeting with Zeneca reviewing Tomatoes and Potatoes there are some new Bt traits being developed in Potatoes. Also tracking down a contact at Anheuser Busch for barley contracting. Rusty quits his fulltime job at [REDACTED] and goes part-time until Jan to focus more time on E-Markets.
118. October 30<sup>th</sup> Kevin worked on Interactive Business Center content. Rusty worked on the Zeneca presentation.
119. November 1, 1996 Dave and Kevin made the presentation to Zeneca.
120. November 4<sup>th</sup> and 5<sup>th</sup> worked on Mycogen Proposal for a seed producer system, Net Contract system and direct sales system and need a system to work with partner arrangements like Dow Elanco.

121. November 7<sup>th</sup> Dave and Rusty worked on the Feed mills research and gathering High Oil analysis data from Ohio State University.
122. November 10<sup>th</sup> Kevin is developing front-page content and working towards a downloaded front page.
123. November 11<sup>th</sup> shopping for LCD projectors. The presentations are too difficult to do on a computer screen. Prices are \$6,000-\$8,000.
124. November 12<sup>th</sup> Kevin worked on the Kodak consulting project.
125. November 13<sup>th</sup> Kevin worked on how to launch an application like Net Contract from within a browser like the Interactive Business Center. The solution seems to be to frame the application in the browser window.
126. November 14<sup>th</sup> Meeting with Kevin and Steve Savage identifies the issues of protecting GMO patents in the contracting process. The patent issues cannot be open to everyone only to those with Biotech licenses so the sensitive information would have to show after issuance of the contract. In other words the final contract specifications are not disclosed until after the obligation is committed to. Kevin travels to Rochester to meet with Jim Becker to discuss a proposal for building an electronic market that is not just bid ask but instead incorporates the quality and genetic information in the filtering and breaks the matching down into relational matches of quality and genetic data before price is ever negotiated. Some of the Net Contract features fit here but it is not an exact fit.
127. November 17<sup>th</sup> Charlie has met with and is recommending the group visit with another custom developer named Patrick [REDACTED]. November 18<sup>th</sup> Dave met again with Mycogen and they will have a high oil Corn product and do not know whether they will contract grow or not. Kevin was setting up new Internet connections and new phone lines and purchasing the new LCD projector.
128. November 19<sup>th</sup> Kevin met with DuPont they expect acreage of High Oil corn to double in 1997.
129. November 20<sup>th</sup> Dave and Kevin meet to discuss the approach for both Mycogen and DuPont Both of who would eventually become customers of the Net Contract application. A Prototype for Mycogen is outlined.
130. November 21<sup>st</sup> and 22<sup>nd</sup> Dave and Kevin travel to Indianapolis and Minnesota for the ISTA presentation and a meeting with Mycogen seeds. The Mycogen meeting went well but they want help defining the value proposition on a per bushel basis.
131. November 25<sup>th</sup> Finished the Net Contract prototype and worked on framing design within the Personal Business Center. Dave has met with Croplan Genetics and they spend a lot of [REDACTED] updating elevators on seed [REDACTED].

132. November 26<sup>th</sup> company meeting and updates on corporate governance issues Steve is working on, Database structure discussion, Discussed Security platform, hardware, software encryption and SSL. Need to develop a security matrix.
133. November 27<sup>th</sup> Dave worked on the product database and the profile information needed by the companies they have visited with the past six months, for the Net Contract application.
134. November 29<sup>th</sup> created [REDACTED] presentation including Home page, Personal Business Center, Project listing (check contract specifications), Database entry, Data Reporting, Query results Download Query, Contract Home ( Info, Bid, Delivery info, Crop Conditions, Contract database), Bid issuance, Delivery status, Crop Conditions, Destination Delivery Information.
135. December 1, 1996 Charlie has been having a person named Jay Froscheiser build the prototypes and now is working on the actual web applications Kevin has designed. He believes the Home page is too difficult for him and that we need to get a hosted location set up.
136. December 2<sup>nd</sup> [REDACTED] Prototype is built and Kevin is looking into Sprynet as a hosting company. Steve found another referral for a Java programmer. Kevin set up a meeting with Dan Hammes and Tom Adler of DuPont. They would turn out to be the first customers for Net Contract.
137. December 3<sup>rd</sup> Dave and Kevin presented a proposal to [REDACTED] They were interested in Net Contract but thought they could do it internally. Dave and Kevin also met with DuPont's Optimum Quality Grains. They are going to build an Internet presence and will begin interviewing prospective vendors on Dec 9<sup>th</sup>.
138. December 4<sup>th</sup> Charlie begins work finding someone to Host. Kevin sent him the new prototype and he needs to find a system capable of FTP access.
139. December 5, 1996 Kevin has worked out the restated Articles of Incorporation to address voting rights.
140. December 5<sup>th</sup> - 11<sup>th</sup> Kevin worked on a consulting project for SGI, which investigated the genetic traits available in grains.
141. December 7-8<sup>th</sup> Kevin creates the page designs for Net Market, an application to post elevator bids for processors to access.
142. December 9<sup>th</sup> - 10<sup>th</sup> Charlie has located options for the hosting and the necessary hardware including a P-200, 56K relay for LAN, using Digex and ColdFusion and news content from Backweb.
143. December 12<sup>th</sup> Kevin rebuilds the homepage design and Personal Business Center.

144. December 13<sup>th</sup> follow up meeting with Steve's java programmer referral. Kelvin [REDACTED] is developing real-time systems in Java.
145. December 13<sup>th</sup> - 31<sup>st</sup> Dave was working on consulting projects for Context Consulting. December 16<sup>th</sup> and Cash is short so Dave Rusty and Kevin work on a consulting project called Grain Industry 2000.
146. December 27<sup>th</sup> Charlie has found an alternative for the demo development It requires an NT server. The timeline would be a Mockup by Jan 3, HTML by Jan 10<sup>th</sup> and presentation on Jan. 17<sup>th</sup>. E-Markets needs to provide database expertise.
147. January 2, 1997 Context Consulting introduces John Stucki to E-Markets.
148. January 5<sup>th</sup> Dave, Rusty, Steve and Kevin met to set goals and objectives including the Grain Industry 2000 project, creating the E-Markets Home Page and Demos for Net Contract, Net Market and Net Connect. Dupont Demo and meeting presentation.
149. January 6<sup>th</sup> Kevin visits with Todd at Aurora Coop in NE about contracting White Corn.
150. January 7<sup>th</sup> Kevin purchased Front Page to do the mockup homepages fro the demo sites. January Steve Ringlee wants to participate day to day now that things are starting to click. Kevin and Dave meet with John Stucki to discuss him becoming the developer for Net Connect, Net Contract and Net Market.
151. January 9<sup>th</sup> created DuPont homepage for the presentation Demo.
152. January 10<sup>th</sup> Rusty worked on the DuPont Demo data creation.
153. January 11<sup>th</sup> Kevin finished the latest design on the homepage and sent it to Charlie for creation in Html.
154. January 12<sup>th</sup> Kevin and Steve are searching for Medical insurance for the company and have to fill out the forms for quotes.
155. January 13<sup>th</sup> Dave is working on a meeting with Monsanto Kevin follows up with John Stucki but no decision yet. Kevin develops schemes for the DuPont presentation.
156. January 14<sup>th</sup> Charlie gets new web design from Kevin and starts working on it. January 15-16<sup>th</sup> Kevin travels to St Louis to meet with Ed McMillan. The prototype is shown and Ed approves but suggests that E-Markets needs a strong technical advisor also.
157. January 17<sup>th</sup> Kevin makes a speech at ISPA and afterward meets with Anheuser Busch on contracting barley.
158. January 20<sup>th</sup> John Stucki is joining the team and they met to bring everyone up to date. John suggests a simple file on file approach first and use Perl script database.

159. January 23<sup>rd</sup> Kevin and Dave plan a meeting with three programmers John Stucki wants to bring on board. Kevin worked through a proposal to merge with [REDACTED]
160. January 24<sup>th</sup> Dave and Kevin travel to Omaha to meet with Charlie to discuss a software company in Ames IA sale. Do they have what we need? They also discussed the [REDACTED] proposal.
161. January 25<sup>th</sup> Dave and Kevin finished the evaluation of the tomato and potato market for Zeneca.
162. January 27<sup>th</sup> Dave met with AGP Coop and Monsanto to discuss their contracting processes.
163. January 28<sup>th</sup> Dave met with John Stucki and three other potential programmers to line out the development process. From here forward Dave would become the business analyst responsible for converting the design documents into programming features for John to create.
164. January 29<sup>th</sup> Dave holds a follow up meeting with Monsanto. January 31<sup>st</sup> Kevin lines out the first draft of the DuPont proposed system. The system would include contracting, seed sales, [REDACTED], and [REDACTED] information. The Net Contract module will include [REDACTED] Price information, Crop reports. Information, Delivery, Database and Account Management. The specific functions within those tabs include a database of Hybrids, Seed availability, delivery schedule, contract terms, contract acceptance, crop reporting, and pricing and contract management/reporting.
165. February 2<sup>nd</sup>-5<sup>th</sup> Dave and Kevin are worked on consulting projects of Context Consulting.
166. February 5, 1997 Dave, Rusty and Kevin work on the final presentation for DuPont.
167. February 6<sup>th</sup> the presentation is made to DuPont with a project name of OSC[REDACTED]. OSC[REDACTED] is the name we will use for the project here forward, as this became the first installation of our Net Contract system. OSC[REDACTED] was the full application including the content and information. Net Contract was the specific contract management application used in the OSC[REDACTED].
168. February 7<sup>th</sup> followed up with DuPont for feedback on the presentation.
169. February 10<sup>th</sup> Dave Rusty and Kevin work on the proposal for DuPont following the meeting last week and the go forward tasks.
170. Feb 11<sup>th</sup> Dave and Kevin work on the business process plan and a plan to customize the Net Contract prototype to fit the OSC[REDACTED] system. First task will be the full needs assessment of business processes, business goals, and building the functionality matrix, Then develop the Osc[REDACTED] prototype. After getting buy-in on the prototype, then build and deploy the application and plan for enhancements.

171. Feb 14<sup>th</sup> and 15<sup>th</sup> Kevin worked on the [REDACTED] proposal. This merger would allow for capital financing for E-Markets and would provide [REDACTED] data on the Personal Business Centers of E-Markets websites.
172. February 16<sup>th</sup> Kevin set out the next two months work plan including Orientation, Application Demo development, the DuPont project, and Context Consulting project and setting up a demo Server. The application Demo development includes Password and Security system creation, Personal Business Center development, Net Contract, Net Connect and Net Market Development. Charlie and Kevin met to discuss the objectives and budget for the technical projects. The notes from this meeting lay out the expected time commitments from John Stucki and Jay Froscheiser and the expected cost of \$1000 per day.
173. February 17<sup>th</sup> Charlie and Jay Froscheiser have been working with John Stucki and they can now do the database work. Charlie and John are scheduled to get together on the 27<sup>th</sup>. Dave also met with Stine Seeds.
174. February 18<sup>th</sup> Kevin attended the seed conference at ISU and met with Gary Titus. Gary quoted a price on a server and desktop product called Lotus Notes. This is his recommendation for handling the community messaging for the OSC [REDACTED] application. That system did not work and so E-Markets ended up building its own communicate program. Dave met with KS Equity Coop to discuss the Grain 2000 report.
175. February 19<sup>th</sup> Dave and Kevin finish work on the DuPont proposal.
176. Feb 20<sup>th</sup> the Dupont proposal is finalized and delivered to DuPont.
177. February 21<sup>st</sup> Kevin lined out the market research on the food corn industry and the major players. This information would prove to be critical in the positioning of the Net Contract in the future. The key players we have focused on are Frito Lay, Bartlett, Cargill and Scoular. We did not focus on Azteca Foods and as time would tell in 2000 Azteca would be the processor who provided the StarLink adulterated corn for the Taco Bell taco shells. Had they used the Net Contract system or had Aventis used the system there would have been no question as to what farmers grew the StarLink corn and what the obligations of the farmers were to sell the corn for animal feed only. The reason there would be no question is that Net Contract made it impossible to not have a contract signed and collected before the seed was transferred. Also when the seed was delivered the elevator would have had specific information that that farmer grew StarLink corn and could have investigated the load before it was received. Then the corn could be segregated for sale to Animal uses only. We did not make contact with Azteca until it was too late in 2000.
178. February 24<sup>th</sup> Kevin, Dave and John Stucki meet to go over the development projects and line out the activities for the week.
179. February 26<sup>th</sup> Meetings with Farmers Coop and Collingwood Grain in KS to discuss Grain 2000 report.



180. February 27<sup>th</sup> E-Markets team meeting where we discussed mostly Technical issues John and Ryan will work on setting up a Development server and it will be a Unix box. Need to check out how Cold Fusion works on Unix. Charlie is finalizing the meeting with [REDACTED] on March 26<sup>th</sup> and Steve reported on the finances.
181. March 3<sup>rd</sup> Dave and Kevin met to work on the HTML mockup for the [REDACTED] meeting. Paid for design costs on the company brochure Rusty has been working on.
182. March 4<sup>th</sup> DuPont called E-markets back for a high-level proposal discussion on March 6<sup>th</sup>. Set up meeting with John Stucki for 3/8 to go through product design and get John started building the applications now that Charlie and he have the server set up. John and Charlie were using their own computers for the development.
183. March 5<sup>th</sup> Dave met with Harvest States grain and Kevin talked to Cerestar who is doing 3<sup>rd</sup> party contracting of grain. In the evening the group got together to go through the final DuPont presentation.
184. March 6<sup>th</sup> Meeting with DuPont marketing people and Dan Hammes.
185. March 7<sup>th</sup> E-Markets group meeting to discuss pricing for DuPont project and to schedule the task for putting together the final plan and workshop presentation. Also Grain Industry 2000 tasks were split out.
186. March 8<sup>th</sup> Dave and Kevin met with John Stucki and Ryan and presented the printed copies of the prototype and the spec sheets on the application.
187. March 10<sup>th</sup> Kevin followed up with John on questions from the design sheets.
188. March 11<sup>th</sup> worked on the Kodak consulting project and Grain 2000 survey.
189. March 12<sup>th</sup> E-Markets group meeting in Des Moines to review the development issues and thoughts.
190. March 13<sup>th</sup> Dave met with [REDACTED] to discuss the Net Contract process.
191. March 14<sup>th</sup> Dave follows up with [REDACTED] with a recap of the process and a write up on the benefits of the electronic application.
192. March 15<sup>th</sup> Kevin works on redesigning the Homepage and narrows the title bar and the 2000 page.
193. March 18<sup>th</sup> Kevin is working on the Kodak consulting project and Dave met with [REDACTED] to discuss their High Oil Corn origination programs and their JV (ExSeed).
194. March 20<sup>th</sup> Kevin worked with John and Jay on connections and design questions.

195. March 21<sup>st</sup> Dave and Kevin met with John Stucki and Ryan. John is taking a two-week vacation.
196. March 22<sup>nd</sup> Kevin revised the prototype and outlined the Net Market product flow and design process.
197. March 26<sup>th</sup> Kevin and Charlie met with [REDACTED] and made the presentation to merge the companies. Company purchased a used copier.
198. March 27<sup>th</sup> Dave and Kevin meet with Context Consulting to communicate the desire to do less consulting and focus the company's efforts fully on the E-Markets applications.
199. March 31<sup>st</sup> Kevin traveled to St Louis to meet with Ed McMillan and gave him an update on the company.
200. April 1, 1997 The Company purchased Desks and Office Equipment for its first Office.
201. April 2<sup>nd</sup> Kevin and Dave made a presentation to Context Consulting on E-Markets and the vision for the technology and the products. They referred a security software company called Secure computing in Minneapolis as a potential solution to the security issues with the web applications.
202. April 3<sup>rd</sup> Dave met with Iowa Crop Improvement Assoc. to discuss database synergies between the two companies. Charlie wants to bring the Prism Resources group to meet Kevin. He believes they can provide the security system needed.
203. April 4<sup>th</sup> Meeting with DuPont where they discussed a consulting project to help them understand how electronic commerce would apply to their contracting process. April 7<sup>th</sup> We purchased our first phone system.
204. April 8<sup>th</sup> until now all the employees and contractors were working out of their home offices or from Kevin's basement. April 8<sup>th</sup> is the first day in an office for the company.
205. April 9<sup>th</sup> Kevin, Rusty and Dave traveled to Omaha to meet with [REDACTED] and Prism in separate meetings.
206. April 10<sup>th</sup> Meeting with Dave, Kevin and John Stucki to discuss technical development plan and progress. Also prepared for the DuPont meeting on 4/11. Kevin also ordered new computers from Micron.
207. April 11<sup>th</sup> Dave presented the proposal to Dan Hammes of DuPont. After the OSC [REDACTED] prototype is complete then they will bring in other people to the meetings.
208. April 14<sup>th</sup> Changed the web IP address with the new location at the office and a switch to INS.net.

209. April 15th Kevin worked with INS to set up network in the office and set up the frame relay and router.
210. April 16<sup>th</sup> Discussion with Kevin, Dave and John concerning the need to completely fully define the functionality required and to decide on the Database.
211. April 17<sup>th</sup> Charlie finds out that Prism wants to talk to [REDACTED] (Owned by [REDACTED]). Concern that they are going around E-Markets to [REDACTED].
212. April 18<sup>th</sup> Rusty has been spending time selling the Grain2000 report to elevators and has had a number of conversations with Elevators about Net Contract and they seem to want the system.
213. April 19<sup>th</sup> Kevin traveled to Omaha and he and Charlie met with Prism to lay out all the requirements and to get to a final answer from Prism on what they will provide and at what cost so as to stop the running around.
214. April 20<sup>th</sup> Paid Ryan Clutter and John Stucki first checks for development work on the Home Page and Net Contract demo. Kevin presented a Storyboard design for Net Contract showing different access points and data access for grain companies, farmers and seed companies.
215. April 21<sup>st</sup> Dave and Kevin facilitated a needs analysis meeting with DuPont to determine what the field operatives and Marketing people needed from a web based application.
216. April 22<sup>nd</sup> Dave met with Context and Kevin followed up with DuPont on the meeting the day before. He said everything went well and he expected to be ready to define functionality needs May 1.
217. April 23<sup>rd</sup> John Stucki checked on the Solaris system needed for Prism's Security product and will investigate a SyBase license.
218. April 24<sup>th</sup> Dave, Kevin, Ryan and John met to explain the necessary Database structure and the table formats for Net Contract.
219. April 25<sup>th</sup> DuPont signed the proposal to do the needs analysis, Develop an OSC [REDACTED] prototype and to customize the Net Contract Application to fit the needs for OSC [REDACTED]. Hired Michael Cantonwine to work on the database table development.
220. April 27<sup>th</sup> Lined out the DuPont User profiles for the Demo.
221. April 29<sup>th</sup> sent Grain2000 report to print. Set up first company health plan. Held a company meeting to assign tasks for the DuPont consulting project Rusty will focus on the needs analysis with the Elevators, Seed Companies and Grain Company (Continental Grain), Dave will manage the relationships with Matt and Dan, Kevin and Dave will complete the needs assessment write-up, Charlie will manage the building of the Security system and Kevin will handle the HTML development.

222. April 30<sup>th</sup> John Stucki recommends internal hosting of the application. Kevin and Dave work with DuPont to schedule follow up meetings and schedule meetings with Continental grain.
223. May 1, 1997 Kevin visited with McElvoy Seed Farms and Calgene about Canola contracting. Reorganized the Prospect list and contact manager for everyone to keep track of contacts with the key prospects for Net Contract applications.
224. May 2<sup>nd</sup> Purchased Modems and Network cards for the office set up to host. Met with DuPont about Development servers are set up and ready to start building the OSC [REDACTED] Demo.
225. May 5<sup>th</sup> Jay is setting up the security Matrix instead of using Prism (too [REDACTED] for the functionality delivered). Dave worked on the system diagram and Database description page and Rusty is working on the initial Elevator survey questions for DuPont.
226. May 6<sup>th</sup> Kevin, Rusty, Dave and John Stucki met with Dan Dyer of DuPont. Discussed the Application functionality and System Architecture. Charlie worked on the Seed Directory database table.
227. May 7<sup>th</sup> Dave and Rusty meet with Croplan Genetics and discuss the [REDACTED] project to get needs from a seed company user's point of view.
228. May 8<sup>th</sup> Kevin met with Ryan to go over the HTML designs. Dave follows up with John Stucki on the design for DuPont and finished the Monsanto proposal. Rusty and Kevin finished the needs assessment plan and overview for the OSC [REDACTED] program.
229. May 9<sup>th</sup> Kevin traveled to Omaha to work with Charlie on the security platform. Dave met with [REDACTED] to continue discussions on their seed business needs.
230. May 12<sup>th</sup> Dave and John Stucki went over the product design requirements and details of Net Contract.
231. May 13<sup>th</sup> Dave, Kevin and Rusty met with DuPont and Continental Grain to discuss needs for the OSC [REDACTED] system from a Grain Co. point of view. They also met with Croplan Genetics again to discuss seed company needs. Charlie and Jay are finished with the Security platform and Login and they have set up the ability for FTP transfers to the website.
232. May 14<sup>th</sup> Dave met with IBM to discuss technical assistance. John Stucki ported Informix interface to the web and it works well. DuPont called and said the whole company is going to go to [REDACTED] system.
233. May 15<sup>th</sup> Dave, Kevin and John meet to line out the expectation of network design, Database integration, Network testing, Encryption procedures, Set up user accounts, determine whether we need a T-1 line yet, and the start of the functionality documentation. Also discussed page images in relation to the Database and the document

functionality. DuPont sent a confirmation contract for the Consulting and Development of OSC.

- 234. May 19<sup>th</sup> Meeting with Osterbur Grain concerning Net Contract and the process for handling ExSeed corn contracts. This meeting elevated the biggest problem was coordinating with the elevator.
- 235. May 20<sup>th</sup> Meeting with Wyffels Hybrids to discuss the needs of a Seed company when using the Net Contract system. Needs analysis for DuPont customers.
- 236. May 21<sup>st</sup> Dave and John Stucki met to review the technical progress.
- 237. May 22<sup>nd</sup> Met with INS to start the move toward installing a T-1 line in the office. Dave met with Cargill Seed co for the DuPont needs analysis.
- 238. May 23<sup>rd</sup> Dave interviewed a prospective employee and met again with IA Crop Improvement Association. Kevin and Jay worked on website design.
- 239. May 24<sup>th</sup> Kevin researched the capability to generate emails from the contract document forms. May 27<sup>th</sup> Rusty worked with Wendy Gramm on establishing a Board of Directors for the company, Steve Ringlee worked on the trademark application. Dave and Kevin met with Cargill Seeds.
- 240. May 28<sup>th</sup> E-Markets company meeting to discuss progress on all OSC activities and the proposal feedback.
- 241. May 29<sup>th</sup> Kevin and John Stucki meet concerning improving Unix skills, Steve is working on the Trademark with the attorneys and Dave is preparing a proposal for Croplan Genetics/LOL.
- 242. May 30<sup>th</sup> May was the first time the founders of E-Markets paid themselves for their work. They each were paid a modest sum of money from the cash generated from consulting projects and from selling Grain2000.
- 243. May 31<sup>st</sup> Kevin, John and Dave worked on Website design and color schemes.
- 244. June 2-4, 1997 Dave and Kevin worked on and finished the needs assessment report for DuPont. Paid first installment for the DuPont consulting project.
- 245. June 6<sup>th</sup> Kevin designed a model for a trading application. A product that eventually was launched in 2000 as Attribute E-xchange. This product includes typical Bid Ask and Negotiation. This is a far different application than the Net Contract.
- 246. June 7<sup>th</sup> Dave and John Stucki worked on the database table corrections.
- 247. June 8<sup>th</sup> Kevin built the needs specification sheet for Trader functionality.

248. June 9<sup>th</sup> Testing on the OSC [redacted] website, feedback does not work and the link to the elevator survey data is broken. Kevin met with Marvin Hayenga a future investor.
249. June 10<sup>th</sup> Rusty, Kevin and Dave met with Tom Adler to review the progress on the DuPont consulting project, the Needs assessment report, the Oso [redacted] website and the Business needs they will be addressing next. New Server from Micron delivered.
250. June 11<sup>th</sup> Dave met with Croplan Genetics and National Corn Growers Association. Kevin worked on fitting Net Market into the E-Markets website.
251. June 12<sup>th</sup> Kevin and Dave met with John Stucki to discuss development progress and review the code specs to the design specs.
252. June 16<sup>th</sup> Dave had a progress call with DuPont and a follow-up meeting with Monsanto. Kevin was working on the Communicate design specifications. Charlie and Jay have been working on developing the Net Market Application. Charlie and Kevin discuss the fee structure. Kevin and John discuss setting up a bank of modems and the issues around that system. Dave met with West Bend Coop and New coop to discuss the OSC [redacted] system and using the Internet. New computer from CompUSA delivered.
253. June 18<sup>th</sup> Dave met with Seed broker Dave Heminger about the Net Contract system and OSC [redacted]. Kevin worked on system documentation for the presentation.
254. June 19<sup>th</sup> John Stucki reports development is on schedule and should be ready for Demo by the end of the month. Dave met with Aurora Coop in NE to discuss Net Contract and the OSC [redacted] system. Kevin met with Calgene on Net Contract for Canola, Farmland and ADM concerning OSC [redacted]. Rusty met with Blue Valley Coop.
255. June 20<sup>th</sup> Kevin and John Stucki met to review the OSC [redacted] site.
256. June 23<sup>rd</sup> E-Markets group meets with John Stucki and covers the development freeze date on the Net Contract demo and the plan to populate the demo with Data. The group also met with DuPont to discuss the prototype and get a last buy-in before it is presented the end of the week.
257. June 24<sup>th</sup> Dave met with Albert City Coop to discuss the OSC [redacted] system and the Internet. Rusty is populating the data in the Net Contract demo. Charlie is working on finding investors [redacted] Industries and Ron [redacted].
258. June 25<sup>th</sup> Kevin is working on the Trader prototype design. June 26<sup>th</sup> E-Markets presents an online demo of the Oso [redacted] site and the Net Contract application to DuPont Optimum Quality Grains group. Next we need to make contact with Peter Butler of DuPont to figure out Internet access within DuPont.
259. June 27<sup>th</sup> Kevin, Charlie and Dave meet with [redacted] on a joint arrangement for Net Market and the Trader application.

260. June 29<sup>th</sup> Kevin worked on website design revisions to include flashing quote stream and dynamically generated graphics.
261. June 30<sup>th</sup> Dave met with [REDACTED] and ExSeed. Kevin met Dale Millis to research the contacts in the Corn Processing companies to talk about OSC [REDACTED] and get them prepared for the rollout in August. Met with Tom Adler and Pat Hilliard of DuPont in Ames to go over OSC [REDACTED] functionality.
262. July 1, 1997 Kevin met with Wyffels Hybrids to discuss OSC [REDACTED] and the Net Contract application. Wyffels was excited about being able to know allocations available by delivery window. Showed the early prototype. John Stucki becomes an employee of E-Markets instead of an Independent contractor.
263. July 2<sup>nd</sup> meeting to discuss a request to be able to sort the elevators other than alphabetically evolved into a spec of only seeing elevators that a person is assigned to. That is a new requirement for security and data access. Conference with Peter Butler DuPont I/T about system Architecture and Database load capabilities. Dave met with Clarkson grain on the Net Contract application and Internet in general.
264. July 3<sup>rd</sup> Discussions with DuPont before 4<sup>th</sup> of July Holiday.
265. July 7<sup>th</sup> Interviewed Alan Schmitz a new Technical lead.
266. July 8<sup>th</sup> interviewed Brent [REDACTED] for Technical Lead. July 8<sup>th</sup> Paid second [REDACTED] for the DuPont consulting project.
267. July 9<sup>th</sup> Travel to KC to meet with Farmland Grain on Net Contract. Worked with Tom Adler on putting out communications on OSC [REDACTED].
268. July 10<sup>th</sup> met with CG&B a grain contractor and exporter to the Pacific Rim. Wants to be a part of the Net Contract system.
269. July 11<sup>th</sup> Meeting with DuPont on the product rollout and the production. Coordinating what products and actual specifications of the products that need to be in the system.
270. July 14<sup>th</sup> Dave attends USFGC Conference in Philadelphia and gives IP Grain talk. Also meets with Bill Wyffels on contracting process. Rusty and Kevin worked with DuPont to get list of growers and addresses to load into the database. Hired Alan Schmitz as Technical Lead, he will start 8/1.
271. July 16<sup>th</sup> traveled to Chicago for a meeting with Continental Grain to demo and explain OSC [REDACTED].
272. July 17<sup>th</sup> Traveled Illinois to meet with Clarkson Grain, ADM and Univ of IL to demo and explain how OSC [REDACTED] will be used. One notable comment was that the system would give legitimacy to the contracts since everyone is involved at once.

- 273. July 18<sup>th</sup> Met with Frito Lay to explain the Net Contract to the new grain buyers.
- 274. July 21<sup>st</sup> met with Quaker Oats to explain Net Contract and solicit the purchase of the application. Not much interest since they buy mostly from Cargill.
- 275. July 22<sup>nd</sup> met with DuPont to discuss adding elevator [REDACTED] to the system. John Stucki also finished the specification where a contract can be held in pending status for a defined period and then committed or disabled.
- 276. July 23<sup>rd</sup> replaced the 56K line and installed the T-1 line.
- 277. July 23-24 Kevin, Rusty, Dave met with and demoed OSC [REDACTED] to all DuPont CPC's at Fort Des Moines.
- 278. July 25<sup>th</sup> Met with Farmland Industries in KC.
- 279. July 28<sup>th</sup>-29<sup>th</sup> working on Phase IV plan and contract for actual production application of Net Contract and OSC [REDACTED]. Kevin is researching the potential of using a mapping program to generate the elevator location maps. Purchased the first Sun Server.
- 280. July 30<sup>th</sup> working on reporting requirements and naming conventions. DuPont also wants to fit a marketing program qualifier into OSC [REDACTED].
- 281. July 31<sup>st</sup> Set up meeting with DuPont to talk about product rollout and cost of implementation of the production application.
- 282. August 1, 1997 Alan Schmitz joined the company as the Technical Lead. Working on the Osc [REDACTED] guidebook, which is the user manual for the system.
- 283. August 4<sup>th</sup> Meeting with DuPont on data tables and the queries that can be run on each. Also discussed the allocations and the security around disclosure of the allocations.
- 284. August 5<sup>th</sup> work with DuPont on setting up the delivery windows. Purchased Toshiba Laptop. Gerry [REDACTED] (Board of Advisors) is at Ames office.
- 285. August 6<sup>th</sup>, OSC [REDACTED] walk through with DuPont.
- 286. August 7<sup>th</sup> work with DuPont.
- 287. August 8<sup>th</sup> met with [REDACTED] on a contract management system for real time production feedback.
- 288. August 11<sup>th</sup> printed the OSC [REDACTED] guidebooks. Set up meetings for Demonstrations to the Crop Protection Consultants (CPC's).
- 289. August 12<sup>th</sup> Met with American Cyanamid and Mycogen seeds.



290. August 13<sup>th</sup> worked on adding states to the Net Contract coverage and adding grower check and DAR fields to the application.
291. August 14<sup>th</sup> Dave conducted OSC [REDACTED] demo at Holiday Inn in Muscatine.
292. August 15<sup>th</sup> Dave conducted OSC [REDACTED] demo at Wyffels Hybrids. Mycogen is interested in Net Contract and wants to pursue it set meeting for late September everyone is working on final details of the DuPont Demos.
293. August 18<sup>th</sup> Kevin attended NGFA meeting in KC to research the trader application.
294. August 19<sup>th</sup> Rusty and Dave conduct OSC [REDACTED] demos in Lexington, IL.
295. August 20<sup>th</sup>, Rusty and Dave conduct OSC [REDACTED] demos in Beardstown, IL. Kevin was testing the demo online and need to speed up the screen builds. John and Alan are working on optimization.
296. August 21<sup>st</sup> Purchased a Back-up Sun Server. Worked with DuPont to monitor users on the system in order to create information on [REDACTED]
297. August 22<sup>nd</sup> Rusty, Dave and Kevin demo OSC [REDACTED] in Minneapolis to DuPont CPC's. Following the meeting they also met with Mycogen on follow up to interest in a next meeting.
298. August 25<sup>th</sup> travel to Lincoln NE. August 26<sup>th</sup> OSC [REDACTED] User meeting in Lincoln NE.
299. August 27<sup>th</sup> OSC [REDACTED] user meeting in Grand Island NE.
300. August 28th Travel back to Ames IA.
301. August 29<sup>th</sup> working on access and protocols with Netscape browsers.
302. September 1 Held a company lunch after the successful demonstrations last week. Ran testing of the OSC [REDACTED] Demo to fix any last minute problems.
303. September 2, 1997 DuPont requests and receives a proposal on the production system of OSC [REDACTED] including Net Contract. And the system is sold for the first time for commercial use.
304. September 6, 1997 DuPont has contracted as many acres of High Oil corn in the last three days as they did in the previous 12 months combined. The move to the production environment entailed the porting of the application from an internal demo site to the servers fully connected to the Http instead of Https. The port was done overnight. When DuPont asked for and obligated to the contract on September 2, 1997 and then system went live when the port was completed.

305. The intent of this document is to detail the evidence that the Net Contract concept was conceived prior to September 1996, and worked toward beginning prior to September 1996. It was also enough of a compelling and real invention that two people quit their full time jobs prior to September 1, 1996.
306. The activity that takes place with an invention that is being turned into a business is that you need to establish the business case for the invention and also fully understand the needs of the potential customers and users before you can appropriately design the product. After the needs analysis then the design takes place and that entails more customer visits to establish that what you are designing is right for the market. A long-standing rule in software development is 80% planning and 20% coding. This project fit that metric very well. The coding began on the prototype, moved to the Demo environment and was put into production with the first commercial utilization in later 1997.

By October 1996 the company had two people solely dependent on the company for income and one person ½ dependent on the company for income therefore part of their time was spent doing consulting projects to earn money to feed their families. Please accept this as the sworn statement of three of the inventors and founders of E-Markets Inc.

#### MISCELLANEOUS

307. The reason there are not day-to-day work output of the software programming related to the reduction to practice of the invention is because much of it was done in Perl, which is an open source code but it is not date and chronologically packaged.
308. Furthermore, the main programmer was John Stucki, and, to the extent he may or may not have records, he was unwilling to cooperate (see First Supplement Declaration, previously of record). We are not aware of formal records kept by him, but if there are any, they are not in our custody or control, and are not available to us.
309. Based on experience and knowledge and belief, there is no general conventional practice of day-to-day documenting of the coding of programming, except perhaps in the government or if consultants are involved. We hired coders to code and not to document. Technical writers were hired to describe the code, but after the coding was done and after the period of time discussed above.
310. The consulting projects worked upon during this time period had the dual function of not only help fund the development of the invention, but also allowed access into companies that might have a use for the invention, and thus helping gain intelligence as to how the develop an actual working system according to the invention.
311. Documents discussed in or supporting certain of the paragraphs above are attached to this declaration. The paragraph number(s) of this declaration to which an attached document relates is indicated on the document.

### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

Inventor(s)

Full name of first inventor: Kevin Kimle

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

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---

**Assignee**

Printed Name of Person Signing Scott Cavey

Signature of Person Signing 

Title of Person Signing President and COO

Date 03-24-03

Name of Assignee E-Markets, Inc.

Post Office Address 1606 Golden Aspen Dr.

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Attachments to Declaration: Exhibits \_\_\_\_\_

\*\*\*

## SIGNATURE(S)

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Full name of third inventor: Reynold Harder

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## INDEX TO DOCUMENTS SUPPORTING FIFTH SUPPLEMENTAL DECLARATION

**NOTE:** Each page of the following attached documents bears one or more two or three digit hand-written numbers (some are circled). These numbers indicate generally the paragraph of the Fifth Supplemental Declaration it has relevance to. The following chart summarizes this relationship.

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---

<sup>1</sup>In the order attached.

# 26

5-22-96 ECR

→ Industry in 1995 spends \$4.5 billion  
on ECR implementation  
David Jenkins, J. Spinkberg  
Int'l Director

→ "Computer-assisted" outlining next phase  
of ECR

→ Our system as alternative to systems integration

→ Competitive  
This is where we must go  
⇒ "If you want to sell to line  
you have to go through  
the E-commerce system"

→ Make ECR, systems integration, etc.  
obsolete

5-22-96

# Work Plan Draft

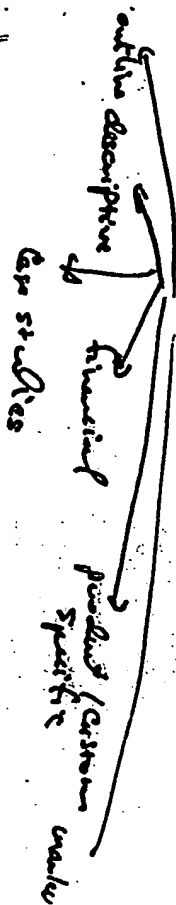
## Big Things to accomplish:

- Business plan
- phone contact survey of potential customers
- meetings? (after phone survey?) (Winnipeg, Illinois, Indiana/Kentucky)
- Product ideas
- Prototype design
- Production development
- First \$100K - investor meetings
- Key people - Tom Crowley
- Resignations tendered

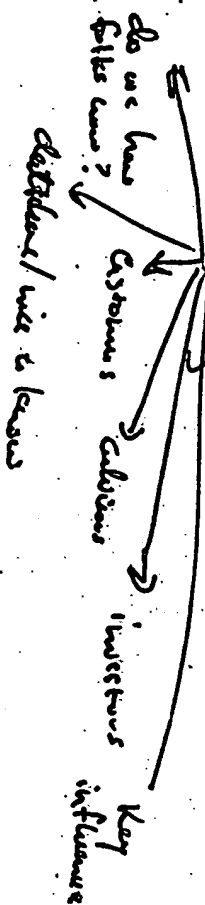
## Phone Contact w/ Key Pot. Customers / Survey

- do. address & pop. data → make calls → i.d. key sectors
- get filename & get info.
- do. address → make calls → i.d. key sectors
- get filename & get info.

## Business Plan



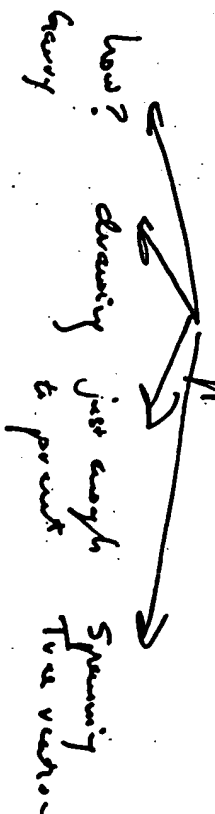
## Meetings



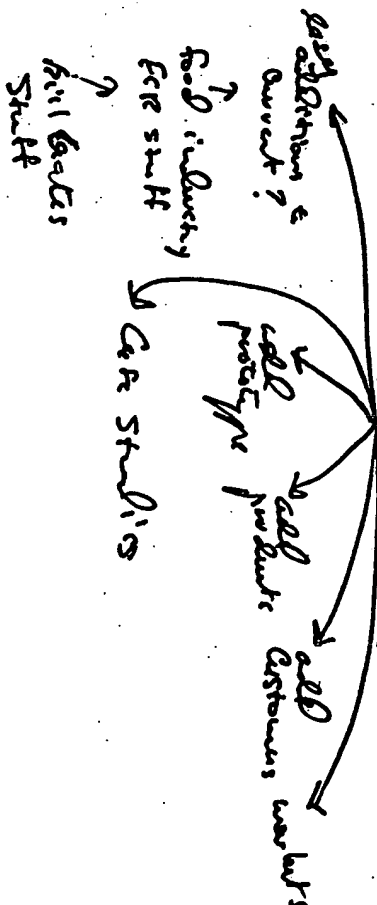
## Product Ideas



## Prototype



## Production development



## Key People

Bob Anderson - Tom Crowley

#26





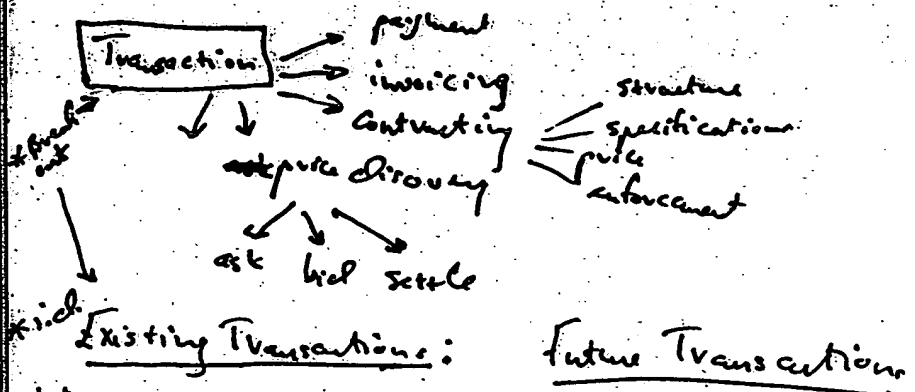
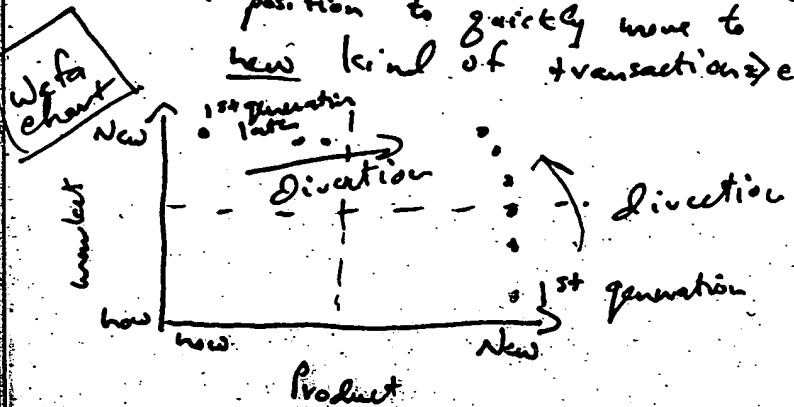
6/1/96

# Product Roles

31

→ It's about TRANSACTIONS

- ⇒ move transactions of today to a more information-based system
- ⇒ position to quickly move to new kind of transactions → electronic



How to take our products into tools?

- "build-your-own" contract
- tracking of transactions and comparing to market (focus on improvement)
- pick & tailor your supplemental information
- \* → Opportunity i.d. is big part of it

Transactions

Plasticity  
= 60 inch

- 2014

- Food <sup>2</sup> Adv Con<sup>2</sup> Conditions / Cleaners

- \*paying bills is a big issue in this cell

Lead

31

- time
- price
- where
- bundling
- quantity
- hybrids
- $\frac{\text{fin}}{\%}$
- Cracked/broken
- Stress cracks

move?   
 in get   
 building   
 building is   
 prices   
 percent   
 when   
 when it   
 does it   
 before   
 10

Can do a  
"deinking"  
price so you  
ask  
a hit price  
value

Fruits → Holstein Tx, Siding IL, Both. NE  
 Brunswick → Kansas City + a few elements (NE)  
 Quaker → Cedar Rapids, KC + <sup>some</sup> Langill elements

little guys  
30-40 to  
locations  
of

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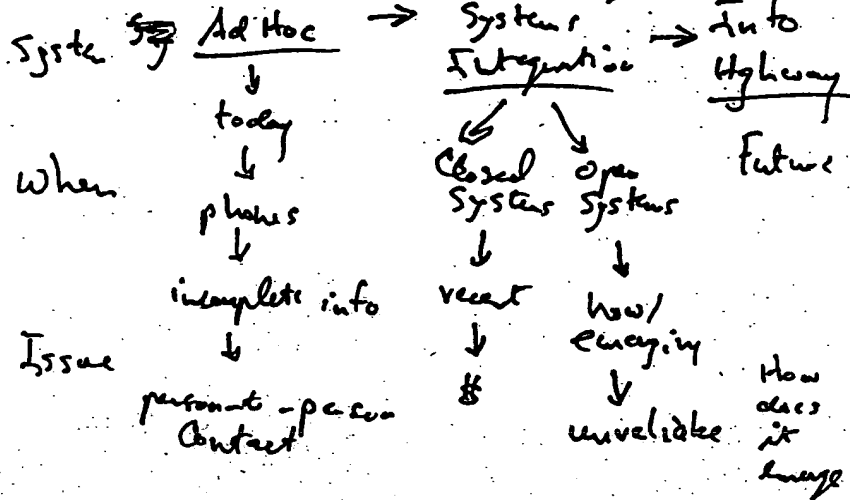
Month-Cl. 12146

(35)

6-12-96

# "The Electronic Operating System of Agribusiness and Food Industry Markets"

- How do businesses work together?



- Where do we fit?

$\rightarrow$  we want to take focus on pure discovery in markets where info. flow between Co's in different sectors is potentially important, but non-existent

- $\Rightarrow$  will put information "ornaments" on that add value to transaction process
- $\Rightarrow$  e.g. transition contracting to e-markets
- $\Rightarrow$  do it for cheap
- .25% on transactions



6-22-13

Date

# Frito Example

Frito

Future

Seed

Cut Costs

- ↳ less man-hours
- ↳ less time sorting seed
- ↳ less time getting updates on crop conditions
- ↳ less paperwork
- ↳ less mail, phone costs
- ↳ less contracting through time

Better Open market purchases  
 Better Communication  
 Less purchase information  
 Contract Aspects:

- write it
- sell it
- ↳ find
- ↳ price
- ↳ mail
- pricing
- Coordination - 1. location, etc...

High Oilier Sunflower

you in Dallas  
 grower espere  
 sales vop cost

Frito → Contract

if Cost varies is  
 for  
 Frito is likely

\* \$t

\* Our Cost =

Grown Value

- market access
- opportunity assessment
- transaction timeliness
- flexibility in use
- pricing tools

Seed Company

- getting info out
- Communication
- less manage ment
- information cost ↓

\* whose data it is, in a big Q??

- same aspects
- public aspects

Aspects:

- Hybrids
- Contract Terms
- list of growers
- which grower
- futures prices
- grower news
- delivery schedule
- crop conditions
- location
- analysis
- pricing
- weather
- news
- marketing

6-30-46

### 3 levels of use:

1)

Members - Major users through transactions, etc.  
- develop and maintain  
avoid what they want

2)

Subscribers - Heavy users, but have purchased in the past  
developed plan  
- either "information needs" or advice users or two parts of system

3)

Public - Free use for publicity purposes... carefully record key bits: pieces to gain subscribers

7-1-46

Dave

"Operating System" should we help every thing?

- delivery system has bids by location

- Set up table of contents "along one side or in one frame"

- can choose 2 or 3 things in table and they show in other panels

An important panel is where a team can look in

- looking at account summaries is important  
→ history

- Feed Industry Staff of interest

→ trial data  
→ hybrid info  
→ geographic info  
→ feed availability projections

- Cows Staff (Connect)

→ crop conditions by individual  
⇒ tracking: summary

Tools Analysis

→ GIS maps  
⇒ Supply/Demand estimates for food grade corn

卅

- File with.

ashida

- or  
 fault. updated  
 + transaction  
 + ~~update~~  
 looks history

7500

- Contract pricing
- issue a bid → a basis bid (morning)
  - check prices later in the day
    - ⇒ how much it priced and who
- Delivery schedule
- check schedule for 1st week of January
  - there are gaps in
- Go to F-wallets Transactions

More-CL 12146



(46)



# **Business Plan**

*Working Document*

*Ames, IA  
July 14, 1996*

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## Did You Know?

46  
“We must develop a cash price discovery market away from traditional terminal markets through a variety of individual centers and national and global auction markets.” - Ray Goldberg, Harvard University. ☑

“Without technology for making price comparisons, these [independent grocers] must put their trust in their suppliers.” - Wall Street Journal, 5/1/96. ☑

“By the year 2000, business through alternative food distribution channels will be worth \$50 billion.” - Datamonitor survey. ☑

“I think the internet is the way we’re going to buy and sell in the future,” Eric Duhachek, Newman Grove, Nebraska farmer, 4/23/96 AP article. ☑

“Agribusiness is ten years behind in information technology.” - Ed Osenbaugh, Softforce, Ames. ☑

“Increasing consumer demands for food quality, variety, safety, and health, and the advent of biotechnology will continue to create demand for new specialty grain products. A commodity marketing system is not adequate to meet those needs.” -

Brester, Biere, and Armbrister, *Agribusiness*, 1996. ☑ 90 percent + of cotton from members of the Plains Cotton Cooperative Association is marketed through their internally-developed electronic marketing system.

☑ The Food Marketing Institute says about two-thirds of companies surveyed expect to have electronic mail capabilities by the end of 1996, and an increasing number use the internet to communicate with vendors. ☑

Precision farming has grown significantly, and is an indication of the large increase in information that will need to be managed and understood in crop production. ☑

Grain exporters add water and sand to barges of grain at export points to bring quality down to minimum USDA standards. ☑

About 70 percent of corn in Nebraska typically is delivered to the elevator as grade #1, but over 90 percent is purchased as grade #2. ☑

High oil corn acreage in the U.S. will increase to 500,000 acres in 1996 from 270,000 acres in 1995.

## Executive Summary

### Background and vision

A conversation with anyone currently involved in agriculture and the food industry will very likely lead to discussion surrounding some common themes, problems, and issues of concern:

- p There is a strong need and desire to better coordinate activities and communicate across traditional business lines.
- p Traditional systems of price discovery and marketing (e.g., commodity, terminal, and broker markets) no longer effectively serve the needs of farmers, agribusinesses, and food companies.
- p Technological, economic, and political changes continue to pressure agribusiness and food industry players to focus increased efforts on gathering and analyzing new information for business decisions.

E-MARKETS was formed to address the need of better connecting those in agribusiness and the food industry by providing the information infrastructure for improved communication, information flow, and price discovery. E-MARKETS will work to break down the barriers between sectors in the food system in order to promote effective delivery of the right products at the right time at the right price.

### Mission

E-MARKETS mission is to provide those in agribusiness and food industry with innovative networking services and tools for improving information flow, communications, and market access. We will continually strive to provide the services that best address the needs and improve the profitability of our customers and that provide E-MARKETS shareholders with attractive earnings potential.

### Goals

- p ?? network users connected within five years
- p \$?? million in sales within five years
- p Fifty percent gross contribution margins by the year 2001
- p \$?? million in before tax profits within five years

## **Strategies and objectives**

### ***Agribusiness and food industry focus***

46 Over \$500 billion will be spent on food by consumers in the United States this year. While companies operating within agribusiness and the food industry vary in the way they operate, there is much commonality...

- p Specialty grain and oilseed markets will be developed first.
- p The rest of the grain industry and other industries that touch the grain industry will be next

### ***Coalition building***

A remarkable aspect of agribusiness and the food industry is the lack of coordination between companies in accomplishing mutually needed goals. Communication and transactions across traditional business lines doesn't occur the way it does in other industries such as telecommunications or healthcare. Therefore, one of the significant challenges to any company attempting to facilitate coordination through information technology is to build coalitions around its products and services. E-MARKETS will exercise a constant and creative effort at building coalitions of companies that have mutually shared interests.

- p The significant coalitions in the grain industry will include companies from the seed industry, farmers, grain merchandising companies, and end-users of grains and oilseeds.
- p Some examples of major companies that will be apart of the E-MARKETS coalition include [REDACTED], [REDACTED], and [REDACTED].
- p The nature of the products and services E-MARKETS offers will be to identify very broad coalitions of companies and groups to work together more effectively that do not have active contacts or ongoing activities today.

### ***Alignment with customer and market***

E-MARKETS will design its business and its products directly around the needs of customers and their markets. The approach will not involve blanket marketing of a product that is somewhat attractive to a large audience. Rather the approach is to work directly, on an ongoing basis, with customers to develop and then improve a product that is important to their business with laser precision.

- p Products and services will be developed hand-in-hand with specific customers in each market

- 46
- p The focus of development efforts for each market will be around the needs of the five to ten (usually) companies that are the most important to the market in terms of sales, influence, brand, etc.
  - p E-MARKETS will put much emphasis on building and maintaining personal relationships with key companies.

### ***Rapid application of business model***

While each market is unique, there will be an emphasis on "market pathways" where E-MARKETS can apply the products and services from one market to the next. The difference between companies and needs between the food corn market and food grade soybean market exist, but are small enough that a model developed for one will be quickly applicable to the other.

- p The food corn market will be the first developed with other specialty grain and oilseed markets quick to follow
- p Applications for the rest of the grain industry will be next in line, along with other industries that interact with the grain industry (i.e. animal production)

### ***Pragmatic technology philosophy***

The approach to information technology of E-MARKETS will be very pragmatic. The companies products and services will not be married to any one technology. The goal is to

- p Early technology partners include [REDACTED]
- p The skills of the company will be built from the base of [REDACTED]
- p Medium or long term opportunities are available for developing a proprietary position in development of electronic market protocols.

## **Keys to success**

### ***People***

Information technology companies' success is even more closely aligned with the talent level of their team members than others, as software is ultimately an expression of intellectual creativity. There is additionally the need to have individuals who have an almost inherent understanding of agribusiness and food industry markets. Therefore, the creation of an environment that can attract and keep the "best and brightest" is key.

A challenge is to bring together an effective team with the skills and desire to make E-MARKETS the premier information, communication, and transaction tool for agribusiness and the food industry. Advantages E-MARKETS will have in building an effective organization include its unique mission within agribusiness (currently no other



July 11, 1996

---

companies quite like it), and hopefully the attractiveness of mid Iowa as a place to raise a family.

46

### ***Product/service quality***

#### **Objectivity**

E-MARKETS must be unquestionably objective in its approach and treatment of any specific company or its products. The interests of the company must be explicitly tied to the success of how its own products and services help other companies become more profitable and effective in their own business.

#### **Integrity and reliability**

The integrity of the service can not be compromised by unexpected or unpredictable break-downs.

#### **Security**

The service will need to provide bullet proof security. There will never be any question in minds of users as to the risk of use.

#### **Ease of use**

The service will provide an intuitive interface. A browser-style interface will be used.

#### **Flexibility**

The product needs to be flexible enough that users can easily customize it to meet their individual needs.

#### **Fast response time**

The product response time needs to be nearly instantaneous. Users will be encouraged to use the latest modem technologies.

#### **Low cost relative to value**

The cost of the service needs to be significantly and measurably less than the value provided. Our objective is to provide a service that provides value of at least 5 times the cost. We will implement a "5X" program that explicitly shows the bottom line value of the service relative to its cost.

#### **Continual improvement**

Long-term success of the business will rely on continual upgrades and improvements to the service.

## Company Summary

### The story

The founding management of E-MARKETS brings with it a very broad perspective from across the food system. Shared experiences range from family farms, to futures markets, to the emergence of information technology. These experiences have ingrained a common belief in the power of bringing disparate people and organizations together to work more effectively at practical solutions to feeding people better.

Product flow in the food system can be characterized by intense competition within industries, but very little coordination across industries. Examples of the problems associated with this abound:

- p Commodity systems - Many agricultural products are still traded through marketing channels that have not changed significantly in fifty-plus years. There are numerous pressures being put on these systems to change, but on the whole there is no underlying "infrastructure" to support development of alternative market prices and incentives for specific traits and qualities.
- p Brokering breakdowns - Many agricultural and food markets rely heavily on networks of brokers who buy, sell, and arbitrage through established networks of contacts and customers. While this is often a useful and valuable activity, there are many instances where the primary producer and ultimate end user could much more efficiently deal directly with another if there was a system to assist them in doing so.
- p Illiquid markets for price discovery - The gradual disappearance of traditional terminal markets and significant market power of many vertically integrated companies in some markets have led to certain situations where marketing and pricing options are limited.

E-MARKETS has been formed to break down the barriers between different industries and sectors in the food system, and to promote the effective delivery of the right products at the right time and right price. E-MARKETS is committed to connecting disparate elements of the food system through the application of cutting-edge information technologies.

### What is the business?

E-MARKETS is a network of information, communication, and secure electronic transactions for agribusiness and the food industry. Our innovative network technologies break down information and communication barriers that exist today in the food system, and serve as the electronic operating system for emerging systems of integrated food production and delivery. We provide an efficient and secure connection across organizations and individuals. We provide a new means for organizations to interact and do business with their suppliers, their customers, and even within their own

## **Products and Services**

### **Product and service description**

(46) E-MARKETS provides the software and network infrastructure for efficiently and securely (1) disseminating and receiving information, (2) communicating within and across business boundaries, and (3) executing business to business transactions. Consulting services necessary to make the network effective and network robust will be offered as well.

E-MARKETS will develop its network around the needs of a select group of companies in a select group of markets.

Products and services will ultimately be tailored to meet the needs of a number of different types of customers. Different customer types in general include:

- p Members -
- p Subscribers -
- p Viewers -
- p Public

### **Competitive comparison**

There are currently no direct competitors in agribusiness markets.

There are some young companies that are developing tools for business-to-business commerce on the internet that theoretically could represent competition.

- p Industry.Net -
- p ARI Network Services

Another form of indirect competition is the possibility of a group of businesses forming a consortium and funding development of system of integrated information technologies. These efforts usually fund a systems integrator (IBM, EDS, UNISYS, Arthur Anderson) to do the job. An example is [REDACTED] where ag chemical manufacturers and distributors have spent [REDACTED] million to have EDS develop a system of communication and electronic data interchange for them.

The likelihood of widespread efforts at systems integration is small. The traditional attitude of companies in agribusiness suggests this won't happen voluntarily, and most systems integrator firms have no knowledge or skills in agribusiness.

Food retailers, distributors, and manufacturers have had a very extensive effort underway for the last several years to develop a system of interaction under the banner of "efficient

7-18-96

→ Dave thinks there are interesting possibilities when looking at a cross between the ~~XXXXXXXXXX~~ "Personal Journal" and F-~~XXXXXXXXXX~~ as our product

⇒ A Personal F-~~XXXXXXXXXX~~ software product that's a value-added browser and just a regular internet gateway as well

⇒ personal F-~~XXXXXXXXXX~~ works through LAN, modem connection direct to our network, through ISP, whatever . . . .

9-20-76

## Our Process

①

### Engagement

- Fast Develop inside knowledge & work with approach
- Find key Co's
- Key people with key Co's
- Create Prototype

91

②

### Consultation for:

- Review physical & virtual value chain
- \* ~~Cost~~ → Prototype dev.
- Prod. impl. plan
- intimate understanding of their business & value chain
- Res. Personal Relationship

③

### Rapid Application Deployment

④

### Relentless Evolution

- Continued relationship (on going)
- Continued prod. dev.
- multiply areas for Co. we work with

## Customer Process

### Acknowledgment

- Conf. w/ us
- bring thinking forward on internet
- instill sense of urgency for exploring at least possibility of exploring Internet

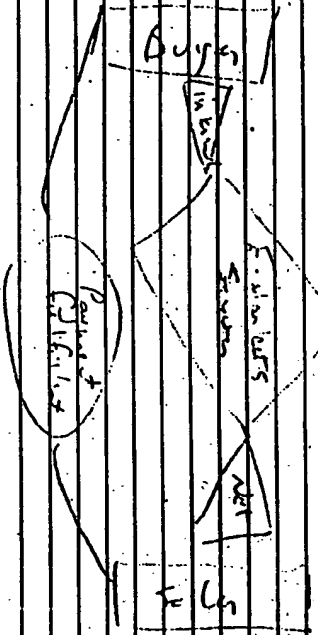
### Virtual-Value Chain Strategy Dev.

- robust understanding of Internet poss.
- Plan for growth process w/ transition to EC
- Information system integration plan

### Focused Team

Trade Ex

belong to the same nature



Seam

Shopping outside:

- venereal diseases 1st years
- venous prosthesis intake
- subcutis office to buy
- subcutis food vegetables
- venous office to fill
- venous transposition under hypodermis

Products include:

- update - add, prev. info

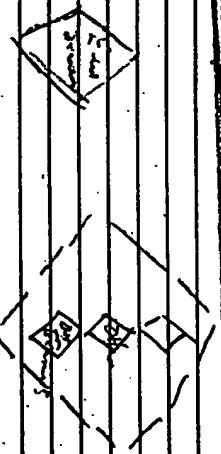
Selling methods:

- various offers to buy
- please offers to sell
- cat sales filters

Order number

- Great avalanches of rocks,

Fulfilled needs

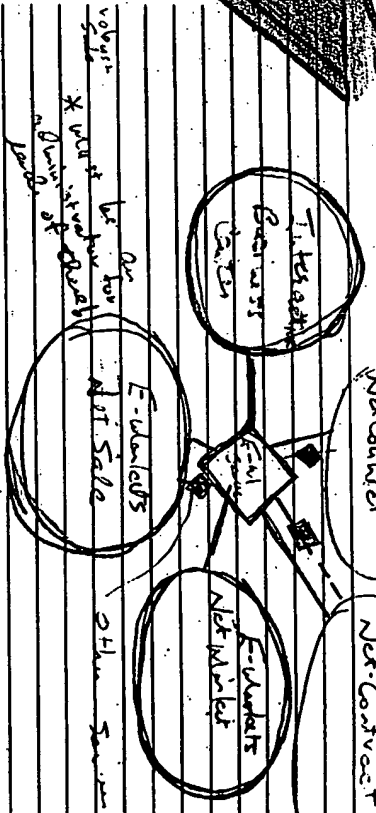


10-5-10

Client

F-warlets  
McDonnet

Est. Contract



Interactive Business Center

- News

→ Comparing  
→ Subsets

→ industry

- nutrient availability

→ 9.40 U.S.

- graphs - 1 kbps
- 1 or less continuous

- Chad White

15. 10. 1950

संज्ञा

- Elektronische Einheiten

Quar

Chapin

- surface

4195

clay

→ applications: precip. per trop. air's

- ## Discussion

- Databases / Applications :

→ Ps: A Vic

- hybrid field trials

- Crop traits

- Special Reports



495  
247

# Prototype Ideas

(From a ~~High end~~ Food Conn Perspective)  
Kurin

- 1) E-mail Home
- 2) Go to Pers. Bus. Center - Password
- 3) PC Front

156

2.2. Mktts.  
Future  
Journal  
1.3. Thr. r

3.1 News

for sources  
links  
or link

News
News
News
News
News
News
News

to Personal Profile & Search the alt help  
Security??

local  
updates

- 4) Launch Net linked to Check on high or food Conn mkt.
- 5) Launch Net Connect to Check on "Quality Conn Project"

## Not market

- 1) Check out Food grade-fellow prices
- 2) Search for available suppliers in
- 3) results

Midnight

## Action items

Wain  
messaging  
data base  
schedule  
for Search  
Reports  
Data Entry



1-31-96

## On Point Orders

- 1) Build "Framework" for business
- 2) Mac Electronic market

Vision: a tool to manage the various problems that make-up the system

### → Contracting

- send sales / avail / data
- Logistics / storage

### Net Contract abilities:

- messaging
- price
- information
- databases
- delivery
- account management

availability?  
send order  
online?

How to price  
different levels  
of security

### Specific Functions:

- hybrid bid / delivery
- send availability
- delivery schedule
- contract terms
- contract acceptance
- pricing
- contract mgt

## Screen Ideas:

### POC Chirpin

1. See "Doc" icon  
↓ enter

### 2. (mini menu:

- 1. messaging
- 2. pricing
- 3. delivery
- 4. 5) Database
- 6. 7) Accounting
- 2. 4) Information

messaging  
2) Contract  
3) send

See messaging Summary

### 3. Price a general message

4. Send a message to one person by pricing this time from a list  
→ buy up e-mail program
5. Go to pricing function - check out bids by various elevators

### 6.

Go through each menu item & demonstrate:  
a. hybrid data base  
b. delivery scheduling

164

164

---

2-16-97 Workplan Draft

(Next two months)

Components

Priority

① Orientation

- establish skills, interests,
- prioritize tasks

② Application Prototyping

- Personal & System Development Security

- Personal Business Center Dev.

- 1st Q View
- hybrid database
- Competition watch
- Future Portfolio

- Net Contract
- Net Connect
- Net Market

③ Outline project

④ Context - BTC Project

⑤ Set up prototype server

Priority

Inputs   Tasks   Description   "Days to Start"

Person

(172)

⇒ Prototype platform?

⇒ ~~the~~ much of the work will fall on us for laying out apps clearly...

Prod. development process

⇒ How to manage the range of talent we have?  
⇒ task-by-task right now w/ Jay & John

⇒ Number of days available in 2-month period w/ John & Co + Jay is

20-25

⇒ workload as load out is a load

mean, in ~~start~~

⇒ \$100/day

⇒ Can we pay on project-by-project basis

181

GARAMOND, BASKERVILLE  
11640 ARBOR STREET  
SUITE 101  
OMAHA, NE. 68144  
333-8151

\*\*\*\*\*  
\* I N V O I C E \*  
\*\*\*\*\*

Document Number: 20498

Document Date: 02/06/97

Page: 1

Sold E-MARKETS  
To: 3222 LETTIE STREET  
ATTN:KEVIN KIMLE  
AMES, IA.  
50014

Ship E-MARKETS  
To: 3222 LETTIE STREET  
ATTN:KEVIN KIMLE  
AMES, IA.  
50014

Ship Via.: CPU/CLIFF CROWELL  
Ship Date: 01/14/97  
Due Date.: 03/08/97  
Terms.....: NET 30 DAYS

Cust I.D.....: EMARKE  
P.O. Number...: N/A  
P.O. Date.....: 01/13/97  
Job/Order No.: 20498  
Salesperson...: HOUSE

Item I.D./Desc.	Ordered	Shipped	Unit	Price	Net	TX
-----						
PRESENTATIONS						
11-11"X17" ELECTRONIC COLOR PRINTS					110.00	T
44-11"X17" ELECTRONIC COLOR COPIES					88.00	T

300.00  
201.88  
501.88  
Paid 3/3/97  
✓ Posted  
to  
Inventory Expense

Subtotal: 198.00  
Tax.....: 11.88  
Total....: 209.88

181

# CROWELL DESIGN

PHONE 402-343-8377 • FAX 402-343-8322 • E-MAIL: Sales@Crowell-Design.com • Web: P.O. Box 6475, Omaha, NE 68106

DATE: 1-9-97 INVOICE: EM107 YOUR PO#: NASOLD TO: E-Markets

ADDRESS: \_\_\_\_\_

CITY: Ames STATE: IA ZIP: \_\_\_\_\_ART DIRECTOR: Kathy Kane

FROM: \_\_\_\_\_

LAYOUT ☒ DESIGN ☒ AD \_\_\_\_\_ BROCHURE \_\_\_\_\_ DIRECT MAIL \_\_\_\_\_ NEWSLETTER \_\_\_\_\_

FAX \_\_\_\_\_ ILLUSTRATION \_\_\_\_\_ LOGO \_\_\_\_\_ WEB SITE DESIGN \_\_\_\_\_ COPY \_\_\_\_\_

E-Markets presentation, ongoing, this is for work in progressSIZE: various NO. of PAGES: NA PAPER STOCK: NAINK COLORS: process PANTONE: \_\_\_\_\_NEGS: NA PROOFING: \_\_\_\_\_ PRINTER: \_\_\_\_\_

Thank you for your business!

AMT: \$ 300

TAX: \$ \_\_\_\_\_

AMT DUE: \$ 300

184

# Optimum Quality Grains

## Project OSC Overview

March 6, 1997

184



# Vision

- ◆ A set of web-based tools that help Optimum Quality Grains create a fundamentally different business model and provide a unique competitive advantage in the marketplace



# Business-to-Business Interaction

## System:

"Paper & Labor"

"Systems Integration"

"Information Hgwy"

person-to-person  
contact

"open" or "closed"  
information networks

the continued  
evolution of the  
Internet

## How:

paper trails  
phones and travel

value-added networks  
from third parties  
large projects by industry  
groups or consortia

decentralized  
customized  
cheap

## Issues:

Lack of effective  
information flow

High costs and lack of fit  
for specific businesses

What are the  
emerging pathways?



Media Clip



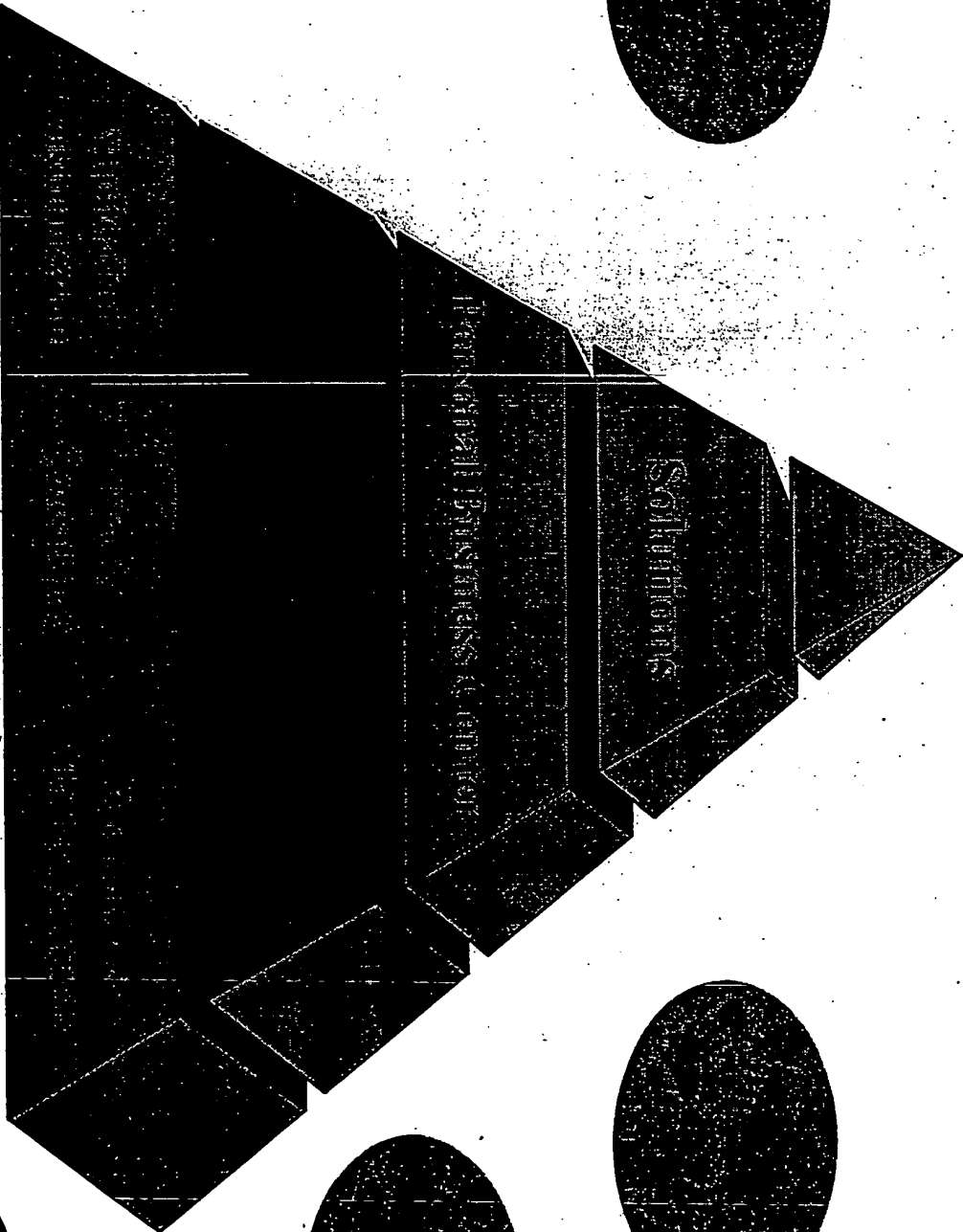
Media Clip





# Product and Service Approach

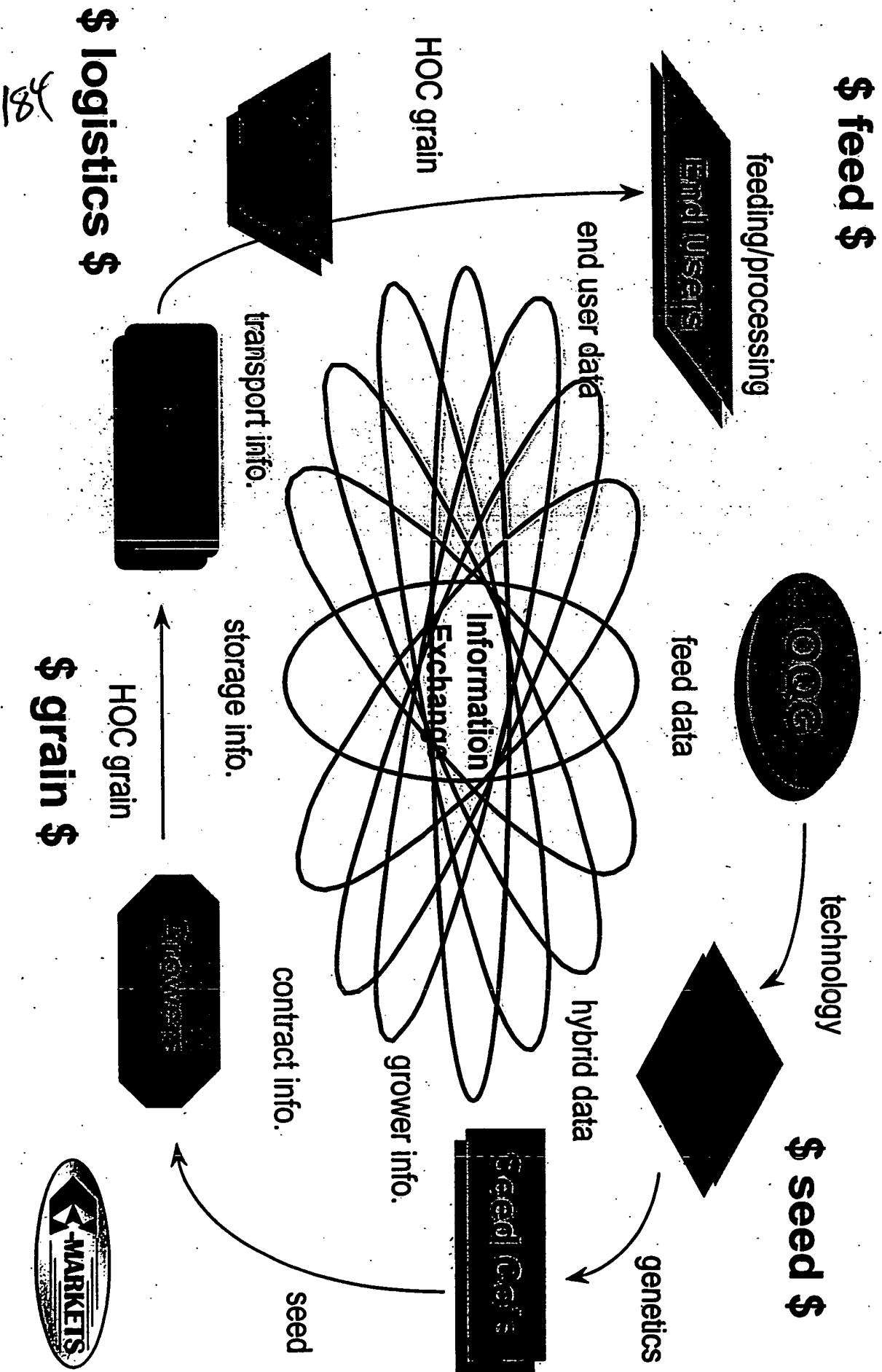
Customers



184

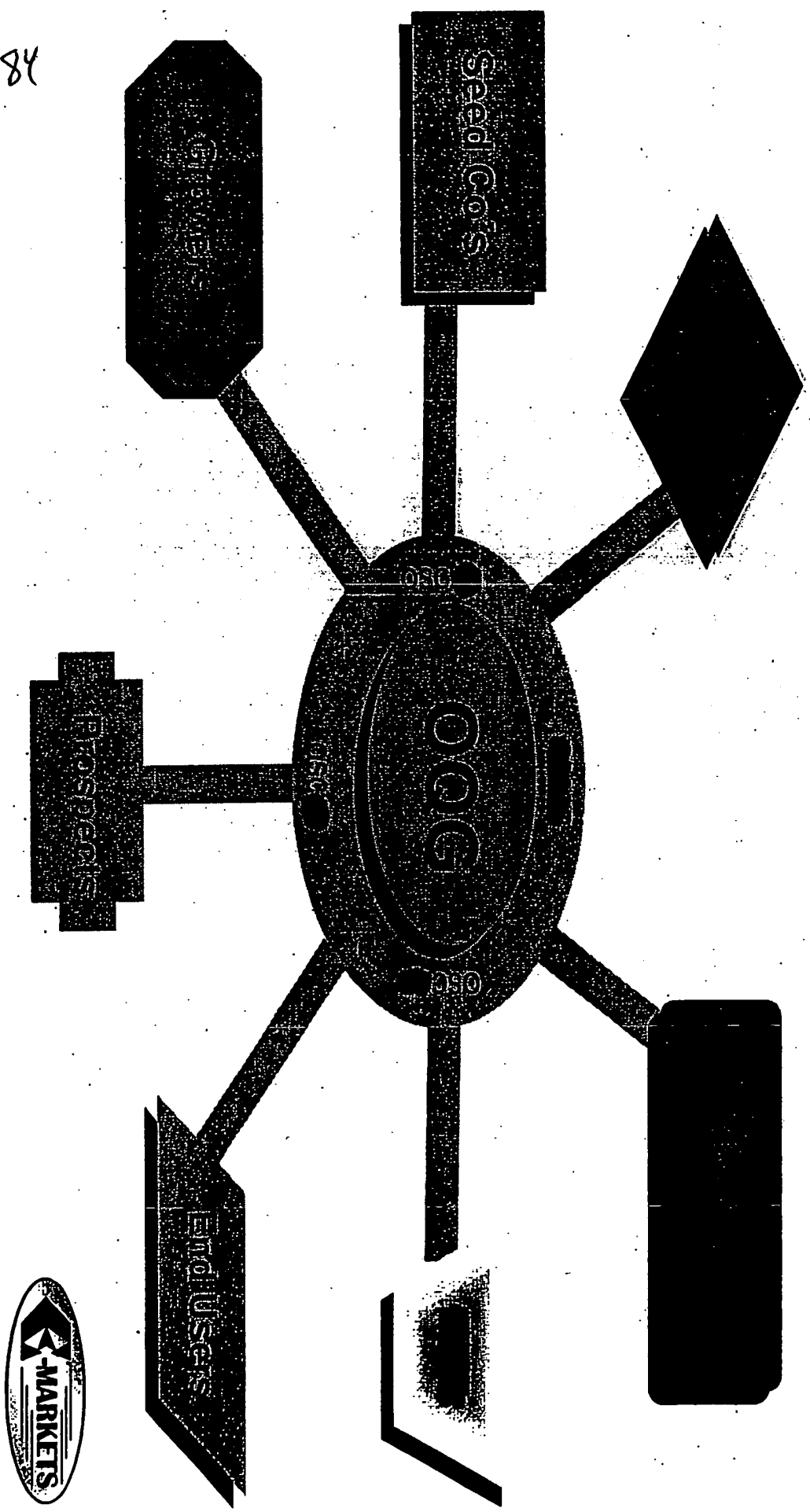


# High Oil Corn Value Chain



184

OSC



# Benefits

- ◆ **Build a tool for OQG to**
  - ◆ **manage complex business relationships and processes more effectively**
  - ◆ **market development**
  - ◆ **business building**
  - ◆ **put a business information model in place that presents enhanced value capture opportunities as it evolves**
- ◆ **Make high oil corn**
  - ◆ **easier to buy, easier to sell, more attractive to produce**



Photo type - Ideas

→ Tell a story and let everyone

$\Rightarrow$  Strongly basic kinds;  
a multistep operation;  
professional: involved in  
specific grain  
production

⇒ *logos*

→ pbc front

$\Rightarrow$  Amp. nicht frei

2) Comp. watch Sequel

Results

Supply & Demand eqn: first

→ Chart Options - basic Chart own prop. 1 can

174-21  
SLD client  
=>

Electronics inventory - Exact - Check in list.

⇒ White Corn Emergency Feeds

white corn b. & s. (maize)

⇒ Check Fr. a - w accepted by her & his

⇒ Qualitäts Com Rezept Haus

⇒ Check data link

vacillat.

**4-22-77**

Not shared process

→ Need to i.e. some internal and external results in the old

→ if they know and the  
class says it's not the  
class benefit and value?

perhaps the ability to  
to give bond  
to give quality  
and quality  
perhaps the ability to  
write future buyers? sell.

→ Need a picture or simple diagram to discuss a key

plays the key / anti-thesis

→ Perhaps the less for us  
pay more for the ones also deployed

→ A database of item supplies

6:45

\* Set appts. for discussions:

2. Net income tax rate is 25%

Dress Chest

2) Flow chart / diagram

at the end of the

3) sample Not with. 1000

Whe.

62-111744-1

2) ~~\_\_\_\_\_~~ (as a supplier)

3) broken fence to [REDACTED] 10) [REDACTED]

11)

12. *Chlorophyll a* and *Chlorophyll b* contents were determined by spectrophotometry using the method of Lichtenthaler and Whistler (1987).

100

1982

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**உதாரணம்**

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1992

3. 3. 3.

100-443886-1000

Desk Receipt

CJ-400 Ver : 024021345-001 Ver: 001 Reg  
 Date : 1090: 0100000000000000  
 Page: 0000 : 0000000000000000 Page: 0000

Order Date : 01 Mar 1997 Mon  
Delivery Date : 1 Apr 1997 Tue  
Prep Time : 0:00 am - 5:00 pm  
Sales ID : 129; 0193

===== 3 1 1 1 0 =  
00001 E-MARKETS  
125 SOUTH 4TH  
AMES, IA 50010

W-MARKETS  
125 SOUTH 4TH  
ANN, IA 50010

00001

0 1 2 3 4 5 6 7 8 9

Cast No: 25095860

Contact - KEVIN

Dr. Comm: CALL BEFORE DELIVERY

IF NOT PRESENT CALL

SKU / Cust Nbr	Item Description	Qty	Unit Price	Total Cost
0135319 63412	J-SHAPED WORKCENTER	4	359.990	1439.96

0676361	MGR CHR 4, FOLDED ARM	4	4	EA	149.990	599.99
389984-KI40						

Item Totals		A	B	
Customer Copies	1			2039.92
			Delivery Chg	00
			Sub-Total	2039.92
			Sales Tax @ 5.000%	102.00

Total Order Amount	\$141.72
--------------------	----------

Balance Due -----> 2141.92

Thank-you for Shopping at OFFICE DEPOT.

Payment : Check

**Signature**

Signature is Required

### References

ack.

# MIDWEST SURPLUS SALES CO.

1905 S.E. HULSIZER ROAD - ANKENY, IOWA 50021 - 515/964-8254 - FAX: 515/964-4476

8:30 to 5:30 Monday thru Friday  
ESTABLISHED IN 1979

NEW & USED MERCHANDISE • FREIGHT DAMAGED • CLOSEOUT • SECONDS OF ALL TYPES  
BUY • SELL • TRADE • RENT • LEASE • CONSIGNMENTS • LIQUIDATIONS

SOLD TO

SHIP TO

"E" MARKETS  
125 S. 4TH.

AMES, IA.

(STERNMAN PLACE Bldg.)  
SE-CORNER LOWER LEVEL

Party: [REDACTED]

Kevin - [REDACTED]

ORDER NO	SALESMAN	TERMS	SHIPPED VIA	FOB	INVOICE DATE
	Rad		CALL 1st		3-31-97
QUANTITY	DESCRIPTION	PRICE EA	AMOUNT		
1	NEW 12' CONFERENCE Table, #BVS-CBBS48144-0W4 (DAMAGED) <u>SALE PRICE:</u>		556.00		
2	NEW (DAMAGED) Four Drawer Letter File #514PQ <u>SALE PRICE:</u>	118.50	237.00		
				DELIVERY:	
				SUB-TOTAL	793.00
				SALES TAX	39.65
				TOTAL DUE	832.65

Thank You For Your Order!

All goods sold in "as is" condition unless otherwise stated.

No credit allowed for goods returned without our consent. Returned goods must be accompanied by invoice number and date of invoice, and will be subject to a handling charge.

All deposits are non-refundable unless otherwise stated on the invoice.

A finance charge is computed on a periodic rate of 1 1/4% per month, which is an annual percentage rate of 15% on any previous balance not paid within 30 days.

A storage charge of \$1.00 per day per item will be charged for any item not picked up within one week.

Conference Table  
Receipt

URCHASE



WE WANT YOU TO BE COMPLETELY SATISFIED WITH YOUR PURCHASE.  
PLEASE NOTE THE FOLLOWING:

- We will gladly accept returned merchandise within 30 days of the date you receive your order.
- If your item was received damaged, contact the carrier to initiate a damage inspection report.
- Please contact your local authorized service center for repair of items covered by the manufacturer's warranty. Do not send your product to DAMARK for repair.
- If indicated on the lower portion of this enclosure, please call 1-800-729-9000 for a return authorization to be issued for your return. If a return authorization is not required, please follow the instructions below.
- Your return and refund or reshipment will be processed immediately upon receipt.
- Please allow 3 weeks from the time you return your order for your refund or reshipment to arrive. If paid by credit card, please allow up to 2 billing cycles for your credit to appear on your statement.
- Returns that do not have the appropriate return authorization number will be subject to a 15% restocking fee. Returns sent that are outside of the satisfaction guarantee will be subject to a 15% restocking fee if returned within 60 days; 30% if after 60 days.
- DAMARK is not responsible for personal items left in the returned merchandise.

**IF YOU WISH TO RETURN MERCHANDISE, PLEASE COMPLETE STEPS 1 THROUGH 6:**

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4. Enclose the completed Merchandise Return and Reorder Form in your return package.
5. Attach the return shipping label provided to the return package. Send to: DAMARK INTERNATIONAL, 7101 Winnetka Ave N, Minneapolis MN 55468
6. Ship via ground insured UPS or insured Parcel Post.

XER1 RETURN AUTHORIZATION NOT REQUIRED FOR MERCHANDISE RETURN

**MERCHANDISE RETURN AND REORDER FORM**

S MR. STEPHEN RINGLEE  
Q 2325 STORM ST  
L AMES IA  
D

S MR. STEPHEN RINGLEE  
H 2325 STORM ST  
I AMES IA  
P 515-292-4508

CUSTOMER # 1004930972  
ORDER # 2441082003  
DATE 1997-04-07  
PACKAGE # 19139990



244108200301

- PLEASE READ AND FOLLOW INSTRUCTIONS ABOVE.
  - PLEASE COMPLETE AND ENCLOSE THIS FORM WITH YOUR MERCHANDISE WITHIN 30 DAYS OF RECEIPT.
  - TO HELP SERVE YOU BETTER, PLEASE ENTER THE REASON FOR YOUR RETURN
- |                        |                             |                   |
|------------------------|-----------------------------|-------------------|
| 1. Damaged in shipment | 5. Unlike photo/description | PLEASE CHECK ONE: |
| 2. Does not work       | 7. Other (Explain)          | Refund            |
| 3. Wrong item shipped  | 11. Sub unacceptable        | Replacement       |
| 4. Not as expected     |                             |                   |

Return Authorization No.:  
#Explain:

**ITEMS FOR RETURN**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISCOUNT	TOTAL ITEM PRICE	R CODE
1	402582	GE 2-8450 REF 4LN SPKRPHONE	40041 -	129.99	13.00	116.99	

**ITEMS FOR REORDER**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISC	TOTAL ITEM PRICE	S/H	GRAND TOTAL

METHOD OF PAYMENT: ☐ Check ☐ Visa ☐ CREDIT CARD# ☐ EXP. DATE  
☐ Damarkard ☐ Master Card  
☐ Discover ☐ Money Order  
☐ American Express CUST. SIG.

*Telephone System Receipt.*



URCHASE.



WE WANT YOU TO BE COMPLETELY SATISFIED WITH YOUR PURCHASE  
PLEASE NOTE THE FOLLOWING:

- We will gladly accept returned merchandise within 30 days of the date you receive your order.
- If your item was received damaged, contact the carrier to initiate a damage inspection report.
- Please contact your local authorized service center for repair of items covered by the manufacturer's warranty. Do not send your product to DAMARK for repair.
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6. Ship via ground insured UPS or insured Parcel Post.

XER1 RETURN AUTHORIZATION NOT REQUIRED FOR MERCHANDISE RETURN

**MERCHANDISE RETURN AND REORDER FORM**

S MR. STEPHEN RINGLEE  
O 2325 STORM ST  
L AMES IA  
D

S MR. STEPHEN RINGLEE  
H 2325 STORM ST  
I AMES IA  
P 515-232-4508

CUSTOMER # 1004930972  
ORDER # 2441082004  
DATE 1997-04-07  
PACKAGE # 19139989



244108200401

- PLEASE READ AND FOLLOW INSTRUCTIONS ABOVE.
- PLEASE COMPLETE AND ENCLOSE THIS FORM WITH YOUR MERCHANDISE WITHIN 30 DAYS OF RECEIPT.

**• TO HELP SERVE YOU BETTER, PLEASE ENTER THE REASON FOR YOUR RETURN**

- |                        |                             |  |
|------------------------|-----------------------------|--|
| 1. Damaged in shipment | 5. Unlike photo/description | PLEASE CHECK ONE:<br><br>Refund<br>Replacement |
| 2. Does not work       | 7. Other (Explain)          |  |
| 3. Wrong item shipped  | 11. Sub unacceptable        |  |
| 4. Not as expected     |                             |  |

Return Authorization No. \_\_\_\_\_

WE Explain: \_\_\_\_\_

**ITEMS FOR RETURN**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISCOUNT	TOTAL ITEM PRICE	R CODE
1	402582	GE 2-9450 REF 4LN SPKRPHONE	40041	129.99	13.00	116.99	

**ITEMS FOR REORDER**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISC	TOTAL ITEM PRICE	S/H	GRAND TOTAL

METHOD  
OF  
PAYMENT:

☐ Check  
☐ Discover  
☐ Discover  
☐ American Express

☐ Visa  
☐ MasterCard  
☐ Money Order

CREDIT CARD# \_\_\_\_\_ EXP. DATE \_\_\_\_\_  
CUST. SIG. \_\_\_\_\_

URCHASE.



WE WANT YOU TO BE COMPLETELY SATISFIED WITH YOUR PURCHASE  
PLEASE NOTE THE FOLLOWING:

- We will gladly accept returned merchandise within 30 days of the date you receive your order.
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XCR1 RETURN AUTHORIZATION NOT REQUIRED FOR MERCHANDISE RETURN

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S MR. STEPHEN RINGLEE  
O 2325 STORM ST  
L AMES IA  
D

S MR. STEPHEN RINGLEE  
H 2325 STORM ST  
I AMES IA  
P 515-292-4508

CUSTOMER # 1004930972  
ORDER # 2441082005  
DATE 1997-04-04  
PACKAGE # 19116073



244108200501

- PLEASE READ AND FOLLOW INSTRUCTIONS ABOVE.
  - PLEASE COMPLETE AND ENCLOSE THIS FORM WITH YOUR MERCHANDISE WITHIN 30 DAYS OF RECEIPT.
  - TO HELP SERVE YOU BETTER, PLEASE ENTER THE REASON FOR YOUR RETURN
- |                        |                              |  |
|------------------------|------------------------------|--|
| 1. Damaged in shipment | 5. *Unlike photo/description | PLEASE CHECK ONE:<br><br>Refund<br>Replacement |
| 2. *Does not work      | 7. *Other (Explain)          |  |
| 3. Wrong item shipped  | 11. Sub unacceptable         |  |
| 4. Not as expected     |                              |  |

Return Authorization No.:  
\*Explain:

**ITEMS FOR RETURN**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISCOUNT	TOTAL ITEM PRICE	R CODE
1	477221	ATT 1182 36MM 2LN DIG ANS SYS	50070	99.99	10.00	89.99	

**ITEMS FOR REORDER**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISC	TOTAL ITEM PRICE	S/H	GRAND TOTAL

METHOD OF PAYMENT: ☐ Check ☐ Visa ☐ CREDIT CARD# ☐ EXP. DATE ☐  
☐ Damarkard ☐ Master Card  
☐ Discover ☐ Money Order CUST. SIG. \_\_\_\_\_  
☐ American Express



WE WANT YOU TO BE COMPLETELY SATISFIED WITH YOUR PURCHASE  
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- If your item was received damaged, contact the carrier to initiate a damage inspection report.
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4. Enclose the completed Merchandise Return and Reorder Form in your return package.
5. Attach the return shipping label provided to the return package. Send to:  
DAMARK INTERNATIONAL, 7101 Winnetka Ave N, Minneapolis MN 55488
6. Ship via ground insured UPS or insured Parcel Post.

XER2 RETURN AUTHORIZATION NOT REQUIRED FOR MERCHANDISE RETURN

**MERCHANDISE RETURN AND REORDER FORM**

S MR. STEPHEN RINGLEE  
Q 2325 STORM ST  
L AMES IA  
D

S MR. STEPHEN RINGLEE  
H 2325 STORM ST  
I AMES IA  
P 515-292-4508

CUSTOMER # 1004930972  
ORDER # 2441082001  
DATE 1997-04-04  
PACKAGE # 19108143



244108200101

- PLEASE READ AND FOLLOW INSTRUCTIONS ABOVE.
  - PLEASE COMPLETE AND ENCLOSE THIS FORM WITH YOUR MERCHANDISE WITHIN 30 DAYS OF RECEIPT.
  - TO HELP SERVE YOU BETTER, PLEASE ENTER THE REASON FOR YOUR RETURN
- |                        |                             |  |
|------------------------|-----------------------------|--|
| 1. Damaged in shipment | 5. Unlike photo/description | PLEASE CHECK ONE:<br><input type="checkbox"/> Refund<br><input type="checkbox"/> Replacement |
| 2. Does not work       | 7. Other (Explain)          |  |
| 3. Wrong item shipped  | 11. Sub unacceptable        |  |
| 4. Not as expected     |                             |  |

Return Authorization No.: \_\_\_\_\_  
#Explain: \_\_\_\_\_

**ITEMS FOR RETURN**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISCOUNT	TOTAL ITEM PRICE	R CODE
1	402596	KIT 4 GE 2-9450 RF 4LN PHONE	40041 -	479.99	48.00	431.99	

**ITEMS FOR REORDER**

QTY	ITEM #	DESCRIPTION	CATALOG#	ITEM PRICE	DISC	TOTAL ITEM PRICE	S/H	GRAND TOTAL

METHOD  
OF  
PAYMENT:

☐ Check  
☐ Damarkard  
☐ Discover  
☐ American Express

☐ Visa  
☐ Master Card  
☐ Money Order

CREDIT CARD# \_\_\_\_\_ EXP. DATE \_\_\_\_\_  
CUST. SIG. \_\_\_\_\_



900 E KARCHER ROAD  
NAMPA, ID 83887  
PHONE: 1-800-438-3343  
FAX: 1-208-893-3424

# PACK SLIP / RECEIPT

Ship Date: 4/28/97  
Order Id: 1409349

Pack Slip No. 474449

Bill To E-MARKETS

Ship To E-MARKETS

*Dave Krog  
Machine*

206  
[REDACTED] STREET  
AMES, IA 50014

AMES, IA 50014

Ph#: CALLER I [REDACTED]

Batch Name 844282

Pack Slip No. 797636



ORDER DATE	BILL CUST	SALESPERSON	Job #	P.O. #	CARRIER	SERVICE	SAT.
4/24/97	1288753	MILLER, BEN M	1875273		Federal Express	** E-2 **	

QTY	ID Ref	DESCRIPTION	Serial #	UNIT PRICE	NET PRICE
1	SYS1*333658	Computer	(430)HQ.MILLENNIA LXA P200 (B)	\$1,928.00	\$1,928.00
		CSE001120-00	Case	ATCX MINI TOWER CASE	
		CPU001052-00	Processor	INTEL PENTIUM PROCESSOR 200MHZ	
		MOD001072	DRAM	32MB (2-4M SIMMS) EDO MEMORY	
		MC0006	RAM Cache	512K PIPELINE CACHE ON MOTHERBOARD	
		HDI001058-00	Hard Disk	MICRON 4.0GB EIDE HARD DRIVE KIT	
		CC0000	Controller Card	PCL32BIT MODE 4 EIDE CONTROLLER ON MOTHERBOARD	
		FDD001002	Floppy	FLOPPY DRIVE 3.5 1.44MB	
		CDI001004-00	CD ROM	MICRON 12X EIDE CD ROM	
		VCD001140-00	Video Card	DIAMOND 5TEALTH 3D 2000 W/2MG & MPEG	
		KBR001018	Keyboard	104 KEY ENHANCED PS2 KEYBOARD	
		MOU001004	Mouse	MICROSOFT MOUSE PS/2 2 BUTTON	
		SFO001043	OEM Software	MS WORKS 95 (OEM) CD VERSION	
		SCM001351-00	Sound Card	CREATIVE LABS ONBOARD SB16 W/STANDARD POWERED SPEAKERS	
		SCM001322-00	Modems	USR 33.6 MODEM FOR WIN 95	
		CC0003	Network Option	NO NETWORK CARD ORDERED	
		OSS001076-00	System Software	MS WIN 95 PLUS KIT (SR2) CD VERSION	
		LAA001096-00	Labels	LAA "SYSTEM WIZARD" BOX LABEL	
		MAS001372-00	System Manuals	MAS SYSTEM WIZARD SYSTEM CARD	
		SFO001482-04	Addl OEM Software	SFO PHOENIX MCRC CD W/ SYSTEM WIZARD	
		CAB001162-00	Hard Drive Cables	CAB ASSY EIDE CABLE KIT	
1	MNN001004	Monitor	15 INCH (13.7 INCH DISPLAY) 28DP 1280X1024 COL	\$0.00	\$0.00
1	LAB001078-02	Warranty	1ST YR (USA ONLY) OPT. ON-SITE BY DEC	\$0.00	\$0.00

SALE AMOUNT \$1,928.00

FOB: Origin

Thank you for choosing MICRON for your computer needs.

Please retain this copy for your records.

*206*  
\$2,142.68

SHIPPING/HANDLING	\$99.00
TAX	\$115.68
<b>TOTAL</b>	<b>\$2,142.68</b>

*Computer Receipt*



900 E KARCHER ROAD  
NAMPÄ, ID 83887  
PHONE: 1-800-438-3343  
FAX: 1-208-893-3424

# PACK SLIP / RECEIPT

Ship Date: 4/16/97  
Order Id: 1373177

Pack Slip No. 464492

Bill To E-MARKETS

Ship To E-MARKETS

STREET

STREET

206  
AMES, IA 50014

AMES, IA 50014

Batch Name 828982

Pick Slip No. 783640



Ph#: CALLER I

ORDER DATE	BILL CUST	SALESPERSON	Job #	P.O. #	CARRIER	SERVICE	SAT.
4/10/97	1288753	MILLER, BEN M	1855183		Federal Express	** E-2 **	

QTY	ID Ref	DESCRIPTION	Serial #	UNIT PRICE	NET PRICE
1	SYS1*329501	Computer	(430HD)MILLENNIA LXA.P166 (A)	\$2,907.00	\$2,907.00
		CSE001152-00	Case	ATCX FULL-TOWER CASE (M)	
		CPU001050-00	Processor	INTEL PENTIUM PROCESSOR 166MHZ	
		MOD001076	DRAM	64MB (2-8M SIMMS) EDO MEMORY	
		MC0006	RAM Cache	512K PIPELINE CACHE ON MOTHERBOARD	
		HDD001059	Hard Disk	4GB ULTRA SCSI HARD DRIVE	
		CCD001027	Controller Card	BUSLOGIC ULTRA SCSI CONTROLLER	
		FDD001002	Floppy	FLOPPY DRIVE 3.5 1.44MB	
		CDI001004-00	CD ROM	MICRON 12X EIDE CD ROM	
		VCD001140-00	Video Card	DIAMOND STEALTH 3D 2000 W/2MG & MPEG	
		KBR001018	Keyboard	104 KEY ENHANCED PS2 KEYBOARD	
		MOU001004	Mouse	MICROSOFT MOUSE PS/2 2 BUTTON	
		SFO001043	OEM Software	MS. WORKS 85 (OEM) CD VERSION	
		SCM001351-00	Sound Card	CREATIVE LABS. ONBOARD 5816 W/STANDARD POWERED SPEAKERS	
		MO0002	Modems	NO MODEM	
		NWO001078-00	Network Option	3 COM. 3C905 10/100 PCL KIT	
		OSS001068-00	System Software	MICROSOFT NT WORKSTATION 4.0 CD	
		CB1031	Hard Drive Cables	HDC 7 DEVICE SCSI 67" 8 CONNECTORS	
1	MNN001004	Monitor	15 INCH (13.7 INCH DISPLAY) 28DP 1280X1024 COL	\$0.00	\$0.00
1	LAB001078-02	Warranty	1ST YR (USA ONLY) OPT. ON-SITE BY DEC	\$0.00	\$0.00

SALE AMOUNT \$2,907.00

FOB: Origin

Thank you for choosing MICRON for your computer needs.

Please retain this copy for your records.

TOTAL \$3,180.42

SHIPPING/HANDLING	\$99.00
TAX	\$174.42
<b>TOTAL</b>	<b>\$3,180.42</b>

Contrast + Dur.

# Quality First

Little Indian  
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 100th - 100th

of Cincinnati

[illegible]

→ Module - German Co.

- 1) • common cash - input / output
- 2) • capital asset - input / output
- 3) • labour - input / output
- 4) • intermediate goods - input / output

4) - Information on "Supply - Demand" but diff. first 2 statements depend upon it across

Story board #1

② Given Company

- Green well mixed to sandy
- ~~light~~ sand argill. & sandy
- brown sand light
- Blue Argill. conchoidal
- yellowish brown b'd on top del. irregular
- greenish granular fine gr. calc.
- Green p.d. crystalline

→ from Group  
→ section  
→ first & second part.  
→ influence very low difference.

214

by Anne  
Sally, 2000  
1987 yr.  
24-25 yr.  
(1987)  
6-10 yr.  
1987 yr.  
(1987)

Project Intro

Quantity Spec	Class Rooms
------------------	----------------

<u>1976 Post</u>	<u>Piston</u>	<u>Belt</u>	<u>Distributor</u>
Schedule - 1 hour Circuitry - 1 hour Delivery - willie Advertisement - yellow Misc.			Loose ends drawings

1997 Confusions As of Nov 1996

District 1

Asst. 2

Disinfect

10T-A

→ hybridized a list of  
vols have confirmed form

10

\* Ed. bid  
\* ch. d  
Price confessions

Nov 1-15

NY 15-30

2013-12-13

~~Delinquent~~

5/15/97

Page 1 of 2

233

[REDACTED]  
E. I. DuPont de Nemours & Company  
INCORPORATED

WORTHINGTON, OHIO 43085-2261

YOUR COPY -  
PLEASE KEEP

[REDACTED]  
Contract Order No.

E-Markets  
P. O. Box 1332  
Ames, IA 50014  
(515) 233-8720  
ATTN: Kevin Kimle

Vendor Code: [REDACTED]

WORTHINGTON SOURCING OFFICE

Issuing Point  
[REDACTED]

Issued By

This document, confirming an order placed with Kevin Kimle by Dave Boudreau on 5/15/97, shall constitute a contract covering the work described herein.

**SCOPE OF WORK** - Contractor shall, except as otherwise expressly stated herein, furnish all labor, materials, tools, equipment, facilities and services and do all things necessary to provide Phase I thru III of the application development and deployment process for managing the High Oil Corn Extranet System in accordance with Contractor's attached Project [REDACTED] Proposal dated 4/11/97, as amended, for DuPont's Des Moines, IA location.

**PERIOD OF AGREEMENT** - Spot Order. Work schedule as mutually agreed to by DuPont and Contractor.

**COMPENSATION** - As consideration for services properly provided hereunder, DuPont agrees to pay and Contractor agrees to accept as compensation cost per Contractor's proposal dated 4/11/97. Each invoice shall not exceed \$4 [REDACTED] billed monthly for work completed in the previous month.

**TERMS OF PAYMENT** - Except as otherwise provided in any DuPont General Conditions referenced herein, terms of payment will be Net 15 days after DuPont's receipt of a properly prepared and correct Contractor invoice. Payment shall be considered made when payment checks are mailed by DuPont. Contractor's invoice will be accompanied by such records or other written proof as DuPont deems adequate to verify the billings appearing therein and shall be in such form as may be prescribed by DuPont's Contract Administrator.

**CONTRACT ADMINISTRATOR** - The DuPont Contract Administrator is Dan Hammes.

**NOTICES** - Contractor shall submit required information and documents to DuPont as follows:

1. Correspondence involving the contractual relationship shall be sent to:

E. I. DuPont de Nemours and Company  
100 Old [REDACTED]  
Worthington, OH 43085-2261  
[REDACTED]  
[REDACTED]

# OPTIMUM QUALITY GRAIN'S HIGH OIL CORN EXTRANET

## PROJECT [REDACTED] PROPOSAL

APRIL 11, 1997

### 237 INTRODUCTION

DuPont's Optimum Quality Grains (OQG) group is actively engaged in contracting for production of high oil corn (HOC) and modified-trait soybeans. The contracting process involves a complex network of OQG representatives, grain elevators, seed companies, and farmers as well as a significant amount of information and data that must be shared and communicated.

Key challenges in the contracting process involve monitoring contracting activity in timely fashion, building a multi-user secure database system, and communicating with a diverse group of personnel and business partners. A goal of OQG for the 1998 growing season is [REDACTED]

E-MARKETS will help OQG address some of the key information challenges associated with its contracting system. Project [REDACTED] is a step towards building a new business information model for OQG's contracting activities. E-MARKETS will build a powerful set of Internet-based capabilities for contract management (an "Extranet") based on our *Net Contract* application prototype. The Extranet will:

- migrate OQG's current contracting database to a Web platform with multiple levels of access and security
- enable two-way information sharing and communication for those involved in contracting
- create new and convenient forms of information and data gathering and exchange
- help manage more effectively and efficiently the complex network of business relationships involved in high oil corn and modified-trait soybean contracting

Project [REDACTED] involves a series of incremental phases that will identify the needs of OQG and its business partners, build a prototype set of applications around those needs, build consensus around deployment of the system, and set up an ongoing process for system maintenance and improvement.

### APPROACH

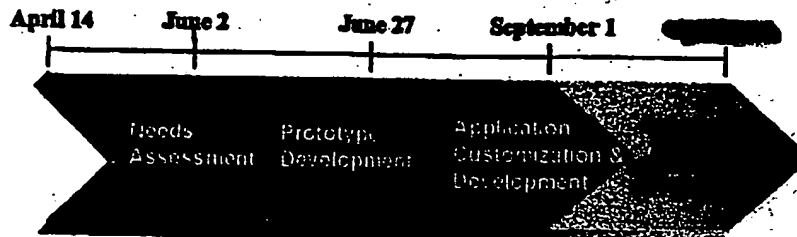
The E-MARKETS' application development and deployment process involves four phases of work. This proposal encompasses the first three phases of the process.

Phase I is a Needs Assessment followed by Prototype Development in Phase II. The prototype will give the look and feel of the application but will not have full functionality and will use mock-up security, application, and database code. The objective of these first two phases will be to design, build, and test the prototype of the Extranet system that begins to address the highest priority needs connected with the OQG HOC business. Phases I and II will be completed by June 27.



Following completion of Phases I and II, E-MARKETS will complete Phase III, Application Customization and Development, by September 1 [REDACTED]

## Extranet development process



## Phases of work for Project Oscar

Project phase	Output	Key steps
<b>Phase I: Needs assessment</b>	<ul style="list-style-type: none"> <li>• Identification and prioritization of contracting needs and specifications</li> <li>• An Extranet contracting capabilities matrix</li> <li>• A prototype application development plan</li> </ul>	<ul style="list-style-type: none"> <li>• Interviews with other DuPont personnel as well as key elevators and seed companies</li> <li>• One half day workshop with key OQG Project team members</li> </ul>
<b>Phase II: Prototype development</b>	<ul style="list-style-type: none"> <li>• A prototype application</li> <li>• A presentation using the prototype and other materials for clear demonstration of the strategic benefits of the contracting application</li> <li>• Database migration plan</li> <li>• Application customization and development plan</li> </ul>	<ul style="list-style-type: none"> <li>• Design the Extranet contracting application architecture</li> <li>• Design page layouts for the contracting application</li> <li>• Build mock-up databases</li> <li>• Build mock-up functionality</li> <li>• One half day prototype evaluation workshop with representatives of key business partners</li> <li>• Critique prototype</li> <li>• Facilitate buy-in process</li> <li>• Solicit input for modifications</li> </ul>
<b>Phase III: Application customization and development</b>	<ul style="list-style-type: none"> <li>• A fully functional Extranet contracting application</li> <li>• An application deployment plan with proposed time frames and costs for next steps, along with time and cost estimates for subsequent steps</li> <li>• Enhancement plan</li> <li>• Maintenance plan</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate architecture and page layout changes recommended from prototype review</li> <li>• Construct needed databases</li> <li>• Build functionality</li> <li>• Test functionality</li> <li>• Solicit feedback from application users</li> </ul>
[REDACTED]	[REDACTED]	[REDACTED]

**E-Markets, Inc.**  
**Cash Disbursements Journal**  
**For the Period From Jul 1, 1996 to Aug 31, 1997**

Criteria includes: Report order is by Date. Report is printed in Detail Format.

Check #	Account ID	Line Description	Debit Amount	Credit Amount
5/11/97 539	74500 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/17/97 540	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/15/97 541	74500 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/15/97 542	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/15/97 543	79750 10200	Reimbursement for computer supplies John Stucki	67.17	67.17
5/9/97 544	80000 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/12/97 545	80000 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/12/97 546	81500 10200	April utilities billed to Sherman Assoc. IES Utilities	25.23	25.23
5/13/97 547	80000 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/13/97 548	71500 10200	DuPont meal Hickory Park	42.77	42.77
5/14/97 549	79750 74500 75000 10200	Modems, network cards, etc. Rusty Harder	935.29 9.65 40.07	985.01
5/14/97 550	81500 10200	IES Utilities	3.23	3.23
5/22/97 551	19000 10200	Customer electric and water deposit City of Ames	250.00 ✓	250.00
5/22/97 552	79750 10200	computer network cards John Stucki	104.99	104.99 ✓
5/22/97 553	80500 10200	US West Telecommunications	404.08	404.08
5/22/97 554	72000 10200	[REDACTED]	[REDACTED]	[REDACTED]
5/22/97 555	64500 10200	Rusty Harder	4,000.00	4,000.00
5/22/97 556	64500 10200	Kevin L. Kimle	4,000.00	4,000.00
5/22/97 557	64500 10200	David R. Krog	4,000.00	4,000.00
5/29/97 558	77500 10200	Sherman Associates	1,261.00	1,261.00
5/29/97 559	74500 10200	[REDACTED]	[REDACTED]	[REDACTED]

224

224

242

242

Rent

4-6-71

Index - First

Primary Actions

Money Account

Q B.R.

Q Acc Q Money acct

Myonite

under summary

verbal w/

Q used ask

with library

space

with summary index / computer

Background

Q Establish Acct.

Q Provide access

Q what "in fact" do?

Q exchange with acct  
Q supply data about  
supply demand?

Q Part 5

QAC: 11  
800 - 655

Open Market

→ show company's privs

Account report

from

Class & Community

(Carriers & Comments)

overhead company  
primary company  
group

Market Analysis

→ supply & demand → market history

→ market background

→ given budget??

→ hybrid system

Account Management

→ Issue report

→ Issue report

→ check "Status" (signature?)

→ establish acct.

May 27, 1997

**CARLOS O'KELLY'S WEST DES MOIN IA**

**\$3.66**

**FOOD/BEV****FOOD/BEV**

**30.16**

**TIP**

**3.50**

**Reference: 614830163**

**May 29, 1897**

**MICRON ELECTRONICS 208-8933586 ID**

**2,247.62**

## DIRECT MARKETER

Reference: 12770001

Page Number: 0000006601

May 31, 1897

COMPUSA#0711 CLIVE TX



001740184-COMPUTER SOFTWARE

**Total for KEVIN L KIMLE**

**5,056.25**

**New Charges 5,134.96**

**New Credits -78.71**

### Total of Card Activity

**New Card Charges**  
**New Card Payments/Credits**

5,164.98  
-78.71

**Continued on next page**

**Change of Address**  
If correct on front  
do not use

## History

**Company Name:**

**Stress**

City - State

**Zip Code**

### Area Codes and Access Numbers

**Home Phone Number**

**Area Code**  
**Market No.**



Cards

American Express Travel Related Services Company, Inc.

**Personal Card Statement of Account**Prepared For  
**KEVIN L KIMLE**

Closing Date

Account Number

Previous Card Balance \$

Card Payments/Credits \$

New Card Charges \$

New Card Balance \$

Statement includes payments and charges received by June 2, 1997.  
\* Indicates posting date:Visit American Express  
on-line today! Review  
Card billing details,  
check rewards points, &  
more. For access, go to  
keyword: Amex on AOL  
or on the Web at [www.americanexpress.com](http://www.americanexpress.com)Please refer to page 3  
for important information  
regarding your Card  
AccountFor fast balance and payment information, call our automated service line at  
1-800-292-2639 using a touch tone phone. Please have your account number ready. If you  
have a question about your account, call 1-800-528-4800 (24 hours/7 days).**Card Detail**

Amount \$

**Card Transactions for KEVIN L KIMLE**  
Card 3722-16570-11006

May 2, 1997\*

55.00

ANNUAL MEMBERSHIP FEE KEVIN L KIMLE  
PERIOD 07/97 THRU 06/98

May 6, 1997

16.24

CHILLI'S RESTAURANT CLIVE IA  
FOOD/BEV

Reference: 012773390

May 11, 1997

2,730.93

COMPUTER #0711 CLIVE TX  
COMPUTER SOFTWARE

Reference: 001540069

Doc Number: 8000000069

May 19, 1997

51.51

SKYLINE INN MOLINE IL  
FOOD/BEVERAGE

FOOD/BEV

46.01

TIP

5.50

Reference: 205010019

Continued on reverse

Please fold on the perforation below, detach and return with your payment

**Payment Coupon**

Account Number

Please Pay  
ImmediatelyPlease enter account  
number on all checks  
and correspondence.  
Payable in U.S. Dollars  
upon receipt with a  
check drawn on a bank  
in the U.S. or money  
order, processable  
through the U.S. banking  
system.

Total Amount Due

**PAID**

KEVIN L KIMLE

[Redacted Address]



Mail Payment to:

AMERICAN EXPRESS TRS  
SUITE 0001  
CHICAGO IL 60679-0001

3216877013 010442380005164968

04152 801JUN90 02337 00282 (2345)

- Commitments Exchanged
- Journal Entry
- Thoughts & Ideas
- Agendas (telephone, meetings)
- Conversations

Never trust your tongue when your heart is bitter.  
- Samuel J. Hurwitz

26

Thursday  
June 1997

Daily Record of Events

12:4000 meeting

- 43 CPEs ~ Contrasting  
- Peter Butler is taking care  
of internet access

→ Security

250

**E-Markets, Inc.  
Employment Agreement**

262

This Employment Agreement ("Agreement") is made effective as of July 1, 1997, by and between E-Markets, Inc., (the "Employer"), an Iowa corporation located at 125 South Third Street, Suite 4, Ames, Iowa 50010, and John E. Stucki, (the "Employee"), of [REDACTED], West Des Moines, IA 50266

The Parties hereto agree as follows:

1. **Employment.** Employer is engaged in the business of software development for agricultural applications. Employee agrees to perform such duties as may be determined and imposed from time to time by Employer's officers or Board of Directors. Employee's initial duties will be to serve as a Engineering Director and to perform the duties described in Exhibit A, which is attached and incorporated in this Agreement by reference. Employee shall initially report to Employer's President or his/her designee.
2. **Compensation.** Employee will be paid compensation during this Agreement as follows:
  - a. A base salary of [REDACTED] per year, payable in monthly installments on the fifteenth of each month.
  - b. Stock options issued under the E-Markets 1997 Stock Option Plan in a single block of [REDACTED] options to be granted as of the date written above, exercisable at [REDACTED] per share into the Employer's common shares, vesting as noted in the Option Agreement which is attached to this Agreement and incorporated by reference.
  - c. Stock options issued under the E-Markets 1997 Stock Option Plan in another single block of [REDACTED] options to be granted as of October 1, 1997, exercisable at [REDACTED] per share into the Employer's common shares, vesting as noted in the Option Agreement which is attached to this Agreement and incorporated by reference.
  - d. Stock options issued under the E-Markets 1997 Stock Option Plan in another single block of [REDACTED] options to be granted as of January 1, 1998, exercisable at [REDACTED] per share into the Employer's common shares, vesting as noted in the Option Agreement which is attached to this Agreement and incorporated by reference.
  - e. Stock options issued under the E-Markets 1997 Stock Option Plan in another single block of [REDACTED] options to be granted as of January 30, 1998, exercisable at [REDACTED] per share into the Employer's common shares, vesting as noted in the Option Agreement which is attached to this Agreement and incorporated by reference.
3. **Benefits.** Employee will also be granted the following benefits:

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9. **Waiver of contractual Right.** The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

10. **Applicable Law.** The parties hereto acknowledge that this Agreement was made within the State of Iowa and that it is to be governed and interpreted in accordance with the laws of the State of Iowa. The parties further agree that jurisdiction and venue for any dispute related to or arising out of this Agreement shall be limited to the Iowa District Court sitting in Story County, Iowa.

11. **Notices.** Any notice required by this Agreement or given in connection with it shall be in writing and shall be given to the parties below by personal delivery or certified mail:

**If to Employer:** E-Markets, Inc.  
ATTN: President  
125 South Third Street, Suite 4  
Ames, IA 50010

**If to Employee:** John E. Stucki  
West Des Moines, IA 50266

**Employer:** E-Markets, Inc.

**By:** K. K. K.  
E-Markets, Inc.

**Employee:**

**By:** John E. Stucki



270  
E-Markets, Inc.  
125 East Third Street, Suite 4, Ames, IA 50010

515-233-8720

Mr. Alan Schmitz

Ankeny, IA 50021

By E-Mail:

Dear Alan,

7 July 1997

As we discussed today, I am delighted to offer you employment with E-Markets as our Systems Engineer. Our offer is explained in more detail following:

1. Position. You will serve as our Systems Engineer, responsible for developing Internet software and hardware tools for our customers and for our own product line. Specifically, we will ask you to manage the networking, telecommunications, server and security issues attending our product lines. You will work closely with all the associates in the Company and will report to John, who is our Engineering Director.
2. You will start employment on August 1, 1997. Your disaster recovery task at [REDACTED] is scheduled to be complete by that date; however, because we all recognize that time slips occur, we would have no objection if you were to consult with [REDACTED] up to a total of twenty hours per week until September 1<sup>st</sup>, when the your work should be complete. This arrangement will help you leave Norwest on good terms. In addition, your consulting with other groups such as the Newton Public Library can continue.
3. We offer you the following compensation:
  - A. Your starting cash compensation will be [REDACTED] per year, paid monthly on the fifteenth of each month. We expect that the [REDACTED] and [REDACTED] projects will have important milestones during the next twelve months and that, as we meet them, we will review your compensation accordingly. As we noted during our conversation, we are not limiting anyone to a twelve month compensation review, nor to an inflationary increase. We strongly believe in pay for performance.
  - B. We also offer participation in our E-Markets Stock Option Plan, which is now under consideration by our shareholders and directors. After they have adopted the Plan, you will be granted an initial block of [REDACTED] options, which will be exercisable at [REDACTED] per share into the Company's common shares. This amount of initial options represents one percent of the total of shares issued and those reserved for options. If we assign a reasonable valuation to the Company of [REDACTED] in [REDACTED], then your option value right now would be [REDACTED]. This amount would grow not only because of the increase in the value of the firm but also because of the additional options you will receive. You will be considered for new option grants at future times depending upon the achievement of individual and corporate goals, as noted above. You will vest fifty percent in these shares at

**netINS DEDICATED INTERNET ACCESS AGREEMENT**

276  
Organization: E-Markets  
Attention: Kevin Kimle  
Telephone: 515-233-8720  
FAX: 515-233-8718  
Service Point: 125 S 3<sup>rd</sup> St Ames, Ia 50010

Issue Date: 7/23/97  
netINS, Inc.  
4201 Corporate Drive  
West Des Moines, IA 50266  
515-830-0345 (FAX)  
NPA-NXX: 515-233

Service: netINS Dedicated T1 Access

Install Date Requested: AISAP**One-Time Service Fees**

netINS Dedicated Access Installation Fee	\$495.00
Carrier Circuit Installation Fee	\$726.00
Equipment Costs	\$782.00
<b>Total One-Time Service Fees</b>	<b>\$2003.00</b>

Total One-Time Service Fees are payable when service is activated.

**Monthly Recurring Fees**

netINS Dedicated Access Monthly Service Fee	\$750.00
Carrier Circuit Monthly Fee	\$531.00
<b>Total Monthly Recurring Fees</b>	<b>\$1281.00</b>

1<sup>st</sup> Month Recurring Fees are payable when service is activated.

Purchase Orders must include Total One-Time Service Fees and 1<sup>st</sup> Month Total Recurring Fees. One-Time Service Fees and 1<sup>st</sup> Month Total Recurring Fees are payable at the time of service activation. Subsequent monthly invoices equal Total Monthly Recurring Fees. Monthly netINS service fees will be billed in advance. Payment is due 30 days from date of invoice. A 1% monthly interest charge will be added for late payments. All circuit charges are estimates, actual circuit charges will be used for invoicing. Delivery is 30-45 days after order is received. Termination of service agreement requires 60 days advanced notice in writing to netINS.

**Payment (Choose only one):**

☐ Purchase Order Number \_\_\_\_\_ (please return PO with this form)  
☒ Check (please return with this form) ☐ Credit Card (please complete information below)

If you choose to pay by credit card, please print the following information:

Card Type: <input checked="" type="checkbox"/> VISA <input type="checkbox"/> MasterCard	Name as it appears on card: <u>Kevin L Kimle</u>
Card Number: _____	Expiration Date: <u>7/1/98</u>
I authorize netINS to process a charge to my VISA/MasterCard account for those charges for netINS service that may accrue from month to month. This authorization is valid until revoked in writing.	
Authorized Signature: <u>Kimle</u>	Date: <u>7-23-97</u>

Please read the Terms and Conditions on this form and complete the information below to indicate acceptance of the netINS Dedicated Internet Access Agreement.

Company: E-MARKETSPhone: 515-233-8720Address: 125 South ThirdFAX: 515-233-8718Contact Name: Ames IA 50010  
KevinSignature: KimleDate: 7-23-97



netINS, Inc.

4201 CORPORATE DRIVE

WEST DES MOINES, IA 50266-5906

**Itemized Internet Hardware Quote**

Quote Number: 179 Customer Fax: (515) 223-8718  
Quote Date: 7/7/97 Customer Phone: (515) 223-8720  
Prepared by: John Roach  
Quoted to: E-Markets  
Comments:

Quantity	Item Name	Item Cost	Line Cost
1	AN Router w/ software Available w/ DC power opt.	\$1,295.00	\$1,295.00
1	Digital Link 56K DL056 The new 56K CSU	\$249.00	\$249.00
1	V.35 cable 1405580X-6 8 foot cable, goes between CSU/DSU and router	\$50.00	\$50.00
		<b>Total:</b>	<b>\$1,594.00</b>

Signature:

A handwritten signature in cursive script, appearing to read "Kevin", followed by a blacked-out rectangular area.

Date:

7-7-97

Note: Quoted prices are valid within 30 days of the date issued.

DUPLICATE

cust file  
Asset 7

## Open Technologies, Inc.

6200 Redora, Avenue, Suite 608w  
Urbandale, IA 50322

Phone: (515)251-8282 Fax: (515)252-8285

## SOLD TO:

E-Market, Inc.  
125 South 3rd St., Suite 4  
Ames, IA 50010  
Attn: John Stucki

## SHIPPED TO:

INVOICE NUMBER	3323
INVOICE DATE	07/29/97
OUR ORDER NUMBER	50768
YOUR ORDER NUMBER	DavidRKrog
TERMS	net 10
SALES REP	PJ
SHIPPED VIA	best
F.O.B.	origin
PREPAID or COLLECT	na
	emark1

1.00	SUN- Ultra 1/170, 17" Color Monitor, TurboGX, 64Mb, 2.1Gb SCSI-2 Disk Serial #: S722F003C - Ultra 1 Serial #: S9722KC0814 - monitor	6,785.75	\$6,785.75
1.00	SUN - Solaris 2.5.1 Desktop Media	63.75	\$63.75
1.00	SUNCD 12 Int. OD ROM Serial #: S971880Q425	255.00	\$255.00
1.00	SUN - 64Mb Memory Expansion (2x32Mb SIMMs)	850.00	\$850.00
		SUBTOTAL	7,984.50
		TAX	
		FREIGHT	155.87
			\$8,120.97
			PAY THIS AMOUNT

Please remit to:  
Open Technologies  
P.O. 31075  
Des Moines, Iowa 50310

Payments for products and services are due to Open Technologies 10 days from receipt. Invoices past 30 days are subject to 1 1/2 % per month.


We appreciate your business!

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**Optimum**  
quality grains

**OSC** 

optimum sales connection 

# OSC Guidebook

August 11, 1997

## About OSC

OSC is a Web-based, crop production contracting application. It is accessed using an Internet browser. An important part of OSC is its on-line database containing a wide variety of information related to the DuPont Quality Grains' crop production contracting efforts. The database includes information on:

- participating elevators,
- participating seed companies,
- growers,
- contracts,
- acreage allocations,
- key contacts, and
- other information.

Registered users and Guests can access OSC on the Internet by going to DuPont's Optimum University site at:

<http://www.dupont.com/ag/qualitygrains/>

Click on OSC once at Optimum University. When users first get to OSC, they can "bookmark" the OSC site if they wish. The direct address for OSC is <http://www.e-markets.com:42000/dupont/>

Registered users will be assigned usernames and passwords that will provide secure access to OSC. Important registered users will be participating grain elevators, participating seed companies, and DuPont Field Representatives. Elevators will be able to view and manage information for contracts with delivery to their own facilities. Seed company District Sales Managers (DSMs) will be able to view and manage information from contract they originate. Seed company management will be able view information for contracts that their company originates or for contracts that designate that company for preferred seed purchase. Users will be able to access only information relevant to their own business.

Guests can also access OSC. Guests will be growers and others that are not registered users (those with assigned usernames and passwords). Guests will have only minimal access to OSC capabilities and information.

In order to help understand some of the terminology associated with OSC, a glossary of terms has been included beginning on page 19.

OSC was developed for DuPont Quality Grains by E-Markets, an Internet application development company based in Ames, IA.

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Toshiba  
laptop



CUSTOMER COPY

579791617

WELCOME TO BEST BUY  
BEST BUY BOINES, VA 50244  
(515) 224-0000

50624 SALE 2051 0018 001  
2863930 425CDT ADS 2,499.99  
2772592 XJ4288 ADS 259.99  
2788914 MS OFF PRG ADS 327.99  
2670595 4 YR ESP ADS 129.99

SUBTOTAL 3,177.96  
SALES TAX 115.20  
TOTAL 3,293.16

DRIVER LICENSE [REDACTED]

ACCOUNT NUMBER [REDACTED]

21 6 MTHS SAC

14 DAY RTN/EXCHNG ON COMPUTERS

MONITORS AND PRINTERS. 5 DAY

RTN/EXCHNG ON RADAR DETECTORS,

RECORDER AND NOTEBOOK CAPTRES

CREDIT SERVICE

NAME		
ADDRESS		
CITY	STATE	ZIP
SIGNATURE		
X		
PHONE HOME		DAY
APPROVED		
X		
<input type="checkbox"/> MOD <input type="checkbox"/> PM <input type="checkbox"/> SM		
<input type="checkbox"/> OTHER		

RECEIPT REQUIRED  
FOR ALL RETURNS, EXCHANGES AND REFUNDS

**E-Markets, Inc.**  
**Cash Disbursements Journal**  
**For the Period From Jul 1, 1996 to Aug 31, 1997**

Filter Criteria includes: Report order is by Date. Report is printed in Detail Format.

Date	Check #	Account ID	Line Description	Debit Amount	Credit Amount
8/4/97	630	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/4/97	631	72000 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/4/97	632	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/4/97	633	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/7/97	634	80500 10200	MCI	155.89	155.89
8/7/97	635	65500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/7/97	636	15200 72000 10200	ASSET 12a: Telephone stations: Stephen Ringler	223.98 24.54	248.52 ✓
8/7/97	637	15100 15200 72000 72000 75500 81000 10200	ASSET 16: Computers, monitors, printer ASSET 12b: Telephone station Office supplies (lamp, supplies, etc.) accounting software legal seminar (CHI: IILCE 5/16/97) legal seminar travel costs Stephen Ringler	3,050.70 89.99 196.97 109.90 175.00 65.29	3,687.85 ✓
8/7/97	638	74500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/11/97	639	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/12/97	640	74500 10200	US Postal Service	25.08	25.08
8/12/97	641	75000 10200	Dupont OQG training manuals Copyworks	316.94	316.94
8/13/97	642	10200	[REDACTED]	[REDACTED]	[REDACTED]
8/14/97	643	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/14/97	644	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/15/97	651	23400 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/15/97	652	23600 10200	August w/h Iowa Dept of Rev & Finance	[REDACTED]	[REDACTED]
8/15/97	653	23300 10200	August w/h Vanguard Fiduciary Trust Co.	[REDACTED]	[REDACTED]
8/15/97	654	71500 10200	[REDACTED]	[REDACTED]	[REDACTED]
8/15/97	655	74500 10200	Oscar manuals mailing US Postal Service	135.24	135.24



## WEEK 33

223/142

50

Old Town

To

10

13 Wednesday 13



**14. Thursday**

2 - Pull Torru Keener @ Purdue Eng

6:00 Half Day End - Muscadine

05061. Tainingia

High over the

0 1996 REFERENCE COLLECTION

AUGUST 1997

221:38

8:00 OSC 145 (2) 1-1-1

5

**16 Saturday**

17 Sunday

8

August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

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# Open Technologies, Inc.

6200 Aurora, Avenues, Suite 606w  
Urbandale, IA 50322

Phone: (515)251-8282 Fax: (515)251-8285

## SOLD TO:

E-Market, Inc.  
125 South 3rd St., Suite 4  
Ames, IA 50010  
Attn: John Stucki

## SHIPPED TO:

E-Market, Inc.  
125 South 3rd St., Suite 4  
Ames, IA 50010  
Attn: John Stucki

# INVOICE

INVOICE NUMBER 3355  
INVOICE DATE 08/21/97  
OUR ORDER NUMBER 50737  
YOUR ORDER NUMBER DavidRKrog  
TERMS net 10  
SALES REP PJ  
SHIPPED VIA best  
F.O.B. origin  
PREPAID or COLLECT na  
emark2

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	SUN - Ultra 1, 17" entry level color monitor, TurboGX, 64Mb 2.1Gb SCSI-2 Disk	6,795.75	\$6,795.75
1.00	SUN - CD12 Internal CD	255.00	\$255.00
1.00	SUN - 64Mb SIMM Expansion (2x32Mb SIMMS)	850.00	\$850.00
<div>PAID 8/21/97 673 \$7978.05</div>		SUBTOTAL	7,900.75
		TAX	
		FREIGHT	77.30
			\$7,978.05 PAY THIS AMOUNT

Please remit to:  
Open Technologies  
P.O. 31075  
Des Moines, Iowa 50310

Payments for products and services are due to Open Technologies 10 days from receipt. Invoices past 30 days are subject to 1 1/2 % per month.

**We appreciate your business!**

AUGUST 1997

WEEK 34

18 Monday

08:00

230/135

PM

[REDACTED]

19 Tuesday

Lexington, IL

20 Wednesday

Bendstam, IL

21 Thursday

[REDACTED]

2 PRO. REPORT COLLECTION

AUGUST 1997

22 Friday

Training

2:00 Lesson

St. Paul

23 Saturday

[REDACTED]

24 Sunday

St. Paul

August							September						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
3	4	5	6	7	8	9	1	2	3	4	5	6	
10	11	12	13	14	15	16	7	8	9	10	11	12	13
17	18	19	20	21	22	23	14	15	16	17	18	19	20
24	25	26	27	28	29	30	21	22	23	24	25	26	27
31							28	29	30				

26

Tuesday  
August 1997

S M T W T F S

31 1 2  
3 4 5 6 7 8 9  
10 11 12 13 14 15 16  
17 18 19 20 21 22 23  
24 25 26 27 28 29 30

Task Completed  
Planned Forward  
Task Deleted  
Delegated Task  
In Process

ABC Prioritized Daily Task List

Update Website  
Call Karen  
APT Presentation

Appointment Schedule

Early Morning

299

00 05:00 Training

Meeting with Sharon

Lunch with

Daily Expenses

130 Quack

22

Friday  
August 1997

S M T W T F S

31 1 2  
3 4 5 6 7 8 9  
10 11 12 13 14 15 16  
17 18 19 20 21 22 23  
24 25 26 27 28 29 30

Task Completed  
Planned Forward  
Task Deleted  
Delegated Task  
In Process

ABC Prioritized Daily Task List

Update Website  
Share with  
Rita AL

Appointment Schedule

Early Morning

297

00 05:00 Training

Meeting with Sharon

Daily Expenses

Wives sample

445

299

299

27

Wednesday  
August 1997

S M T W T F S

Appointment Schedule

31 1 2  
3 4 5 6 7 8 9  
10 11 12 13 14 15 16  
17 18 19 20 21 22 23  
24 25 26 27 28 29 30

Early Morning

7

8

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10

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31

Task Completed  
Planned Forward  
Task Deleted  
Delegated Task  
In Process

ABC Prioritized Daily Task List

Update Schedule

with updates provided

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31

Daily Expenses

7

8

Late Evening

1

S M T W T F S

Appointment Schedule

Monday  
September 1997

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

Labour Day (Canada)

August 1997 October 1997

S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31				

Task Completed  
Planned Forward  
Task Deleted  
Delegated Task  
In Process

ABC Prioritized Daily Task List

Expenses  
inhibit guidelines  
manage mail files  
Hiking Study on hot  
update website  
KOL Interviews  
Sayban Subjects  
Dynamics Plan  
Guest Section

Daily Expenses

604

2

S M T W T F S

Appointment Schedule

Tuesday  
September 1997

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

August 1997 October 1997

S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31				

Task Completed  
Planned Forward  
Task Deleted  
Delegated Task  
In Process

ABC Prioritized Daily Task List

Expenses  
inhibit guidelines  
manage mail files  
Hiking Study on hot  
update website  
KOL Interviews  
Sayban Subjects  
Dynamics Plan  
Guest Section

Daily Expenses

604